

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1961

First Part
of Fifty-second Volume of Statutes at Large

(The Acts and Joint Resolutions of 1962
Will Constitute the Second Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

TABLE OF CONTENTS

	Page
Notice	iii
List of titles	v
List of ratification numbers	lix
General and permanent laws	1
Local and temporary laws	719
Rules and regulations	1603
Index	1655

NOTICE

The following act was passed during the 1961 regular session of the General Assembly. However, it was not signed by the Governor in time to be included in this volume :

(R514, H1844) An Act To Grant To Charleston County All Right, Title, Interest And Estate Of The State Of South Carolina In And To So Much Of The Beds Of Two Tidal Creeks, Known As Filbin Creek And Noisette Creek In North Charleston, As Lies West Of The Highway Sometimes Known As Cosgrove Avenue, And To All Marsh Lands Adjacent Thereto West Of Such Highway.

The following act was passed during the 1961 regular session of the General Assembly and is presently in the hands of the Governor :

(R539, H1306) An Act To Provide That The Alteration, Control, Regulation And Establishment Of Natural Gas Authorities Shall Be Subject To The Supervision And Regulation Of The South Carolina Public Service Commission, And To Provide For Certain Exclusions And Exemptions.

The following act was passed during the 1961 regular session of the General Assembly but was vetoed by the Governor after the Legislature had adjourned *sine die*. This veto will not be considered until the General Assembly convenes for its 1962 session :

(R628, H1891) An Act To Provide That The Coroner Of Spartanburg County May Send The Body Or Parts Of The Body Of A Person Believed To Have Died By Poisoning To The South Carolina Law Enforcement Division For Chemical Analysis.

The regular session adjourned *sine die* May 18, 1961.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,
Code Commissioner.

Columbia, S. C.,
August, 1961.

LIST OF TITLES

Part I. General and Permanent

1. AN ACT To Amend Section 4 Of Act No. 873 Of The Acts And Joint Resolutions Of 1960, Relating To The Rural Recreational Commission Of Richland County, So As To Include The County Supervisor As A Member Ex Officio Of The Commission.—P. 1.
2. AN ACT To Repeal Sections 14-2901 Through 14-2903, Code Of Laws Of South Carolina, 1952, Relating To The County Board Of Commissioners For McCormick County.—P. 3.
3. AN ACT To Set The Terms Of Magistrates In Orangeburg County.—P. 3.
4. AN ACT To Amend Section 29-111, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of A System Of Paid Fire Fighting Units In Richland County, So As To Add The Provision Of Section 29-112 So As To Combine The Provisions Of The Two Sections Which Are Improperly Divided; And To Repeal Section 29-112, Code Of Laws Of South Carolina, 1952, Relating To Fire Fighting In Richland County.—P. 4.
5. AN ACT To Repeal Section 26-52, Code Of Laws Of South Carolina, 1952, Relating To Proof Of Laws Of Foreign Jurisdiction, Which Section Is Obsolete And Has Been Replaced By Sections 26-61 Through 26-68, Code Of Laws Of South Carolina, 1952, The Uniform Judicial Notice Of Foreign Law Act.—P. 4.
6. AN ACT To Amend Section 15-1012, Code Of Laws Of South Carolina, 1952, Relating To Investigations By Certain Municipal Courts Of Incurable And Destitute Children, So As To Provide That Testimony Given In Such Investigations Need Not Be Signed By The Witnesses When Such Testimony Is Recorded By A Sworn Stenographer; And To Amend Section 15-1015, Code Of Laws Of South Carolina, 1952, Relating To Appeals Of Such Children From The Findings Of Such Municipal Courts, So As To Delete A Provision Not Applicable Thereto.—P. 5.
7. AN ACT To Repeal Section 15-271, Code Of Laws Of South Carolina, 1952, Providing That During Terms Of Court Of General Sessions In The Fifth Circuit The Court Of Common Pleas Shall Be Open For Matters When Not Conflicting With The Business Of The Court Of General Sessions.—P. 6.
8. AN ACT To Amend Section 15-232, Code Of Laws Of South Carolina, 1952, Relating To The Appeals From Magistrates' And Municipal Courts, So As To Accurately Reflect The Form Of Notice Required For Such Appeals.—P. 7.
9. AN ACT To Amend Section 14-399.4, Code Of Laws Of South Carolina, 1952, Relating To Appeals To The Supreme Court Of Decisions Of Planning Commissions In Certain Counties, So As To Clarify The Provisions Therefor.—P. 7.
10. AN ACT To Amend Section 14-380, Code Of Laws Of South Carolina, 1952, Relating To Appeals To The Supreme Court Of Decisions Of Boards Of Adjustment In Certain Counties, So As To Delete A Provision Not Applicable Thereto.—P. 8.
11. AN ACT To Repeal Sections 13-311, 13-312, 13-313, 13-314 And 13-315, Code Of Laws Of South Carolina, 1952, Relating To Licenses To Traffic In Long Cotton.—P. 9.
12. AN ACT To Require The Filing With The Clerk Of Court Of Abbeville County Of A Building Permit By Any Person Who Intends To Construct New Buildings Or Add To Existing Buildings In Abbeville County Where The Cost Exceeds Five Hundred Dollars And To Provide An Exception Thereto And A Penalty For Violating The Provisions Hereof.—P. 9.

13. AN ACT To Repeal Sections 65-1755 And 65-1759, Code Of Laws Of South Carolina, 1952, Relating To Tax Returns In Horry County.—P. 10.
14. AN ACT To Amend Section 23-173, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Fairfield County, So As To Eliminate The Precinct Of Shelton.—P. 10.
15. AN ACT To Amend Section 32-147, Code Of Laws Of South Carolina, 1952, Relating To Powers And Duties Of County Boards Of Health, So As To Replace The Word "Lunatics" With The Words "Mentally Ill" And The Word "Asylum" With The Word "Hospital".—P. 11.
16. AN ACT To Amend Section 15-142, Code Of Laws Of South Carolina, 1952, Relating To The Priority Of Hearing Cases In The Supreme Court, So As To Clarify A Cross Reference To Priority Of Appeals From Orders Concerning The Issuance, Continuance, Modification Or Refusal Of Injunctions And Of Appointments Of Receivers.—P. 12.
17. AN ACT To Confirm The Boundaries Of Townships In Union County, Which Shall Be Section 14-94.1, Code Of Laws Of South Carolina, 1952.—P. 12.
18. AN ACT To Provide For The Preparation Of Official Enrollment Books Of Qualified Electors For Jury Purposes In Dorchester County.—P. 15.
19. AN ACT To Authorize The Clerk Of Court Of Dorchester County To Destroy Certain Chattel Mortgages.—P. 16.
20. AN ACT To Provide That The Mayor And Councilmen Of The Town Of Central Pacolet In Spartanburg County Shall Be Elected For Terms Of Two Years.—P. 16.
21. AN ACT To Provide Tax Exemptions For Certain Manufacturing Or Processing Establishments In Beaufort County.—P. 17.
22. AN ACT To Ratify The Amendment To Article X, Section 5, Of The Constitution Of South Carolina, 1895, So As To Increase The Limitation Upon The Bonded Indebtedness Of The School District Of Williamsburg County.—P. 17.
23. AN ACT To Amend Section 23-173, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Fairfield County, So As To Consolidate The Feasterville And Shelton Precincts And To Provide That The Consolidated Precinct Shall Be Known As The Feasterville Precinct And To Reinstate The Horeb Precinct.—P. 18.
24. AN ACT To Repeal Act No. 164 Of The Acts Of 1957 Relating To The Term Of Office For The Auditor Of Calhoun County.—P. 19.
25. AN ACT To Create The Office Of Master For Dorchester County; To Provide For His Appointment, Term Of Office, Compensation, Duties And Powers; And To Amend Section 10-1405, Code Of Laws Of South Carolina, 1952, And Section 15-501, Code Of Laws Of South Carolina, 1952, As Amended, Providing That The Judge Of Probate Shall Act As Master In Certain Counties, So As To Delete Dorchester County From The Provisions Thereof.—P. 19.
26. AN ACT To Amend Section 32-1201, Code Of Laws Of South Carolina, 1952, Relating To The Analysis Of Public And Certain Other Water Supplies, So As To Delete Provisions Providing For The Publication Of The Results Of The Analyses.—P. 21.
27. AN ACT To Repeal Section 30-306, Code Of Laws Of South Carolina, 1952, Relating To The Signing By Freeholders Of A Petition Before Legislation Amending Laws Regulating The Fencing Of Stock May Be Introduced Because Of Its Obsolescence.—P. 21.

28. AN ACT To Repeal Section 26-141, Code Of Laws Of South Carolina, 1952, Relating To Receiving Of Farmers' and Planters' Books As Evidence, Which Is Now Obsolete.—P. 22.
29. AN ACT To Repeal Section 13-3, Code Of Laws Of South Carolina, 1952, Setting The Maximum Rates To Be Charged For The Storage Of Cotton.—P. 22.
30. AN ACT To Repeal Sections 53-581 Through 53-596, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Establishment Of A Rural Police System In Lee County.—P. 23.
31. AN ACT To Ratify The Amendment To Article II, Section 13, Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Myrtle Beach Upon The Question Of Incurring Bonded Debt For Waterworks Or Sewage Disposal Purposes Without There Being First Presented To The City Council Of The City Of Myrtle Beach A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.—P. 23.
32. AN ACT To Provide For The Terms Of Office Of Mayor And Councilmen Of The Town Of Timmonsville.—P. 24.
33. AN ACT To Amend Sections 63-271, 63-272 And 63-273, Code Of Laws Of South Carolina, 1952, Relating To The Agricultural Board Of Fairfield County, So As To Provide For Meetings, Keeping Of Records, Policy Changes And Per Diem Changes Of The Board And To Cancel Any Debt Owed By The Board To The County Or Any Debt Owed By The County To The Board.—P. 24.
34. AN ACT To Amend Act No. 832, Of The Acts Of 1956, As Amended, Relating To The Jasper County Development Board, So As To Change The Composition Of The Board; To Provide For Additional Powers And Duties; And To Repeal Acts Nos. 735 And 899 Of The Acts Of 1958.—P. 26.
35. AN ACT To Amend Act No. 33 Of 1955, As Amended, Relating To The Coverage Of Employees Participating In The South Carolina Retirement System Under Title II Of The Federal Social Security Act, So As To Further Provide For Retroactive Coverage Of Such Employees.—P. 27.
36. AN ACT To Amend Act No. 602 Of 1954, As Amended, Relating To The Coverage Of Employees Of The State And Subdivisions Thereof Under Title II Of The Federal Social Security Act, So As To Further Provide For Retroactive Coverage Of Such Employees.—P. 28.
37. AN Act To Require The Filing Of A Building Permit With The Clerk Of Court Of McCormick County By Any Person Who Intends To Construct New Buildings Or Add To Existing Buildings In McCormick County Where The Cost Exceeds Five Hundred Dollars And To Provide An Exception Thereto And A Penalty For Violating The Provisions Hereof.—P. 28.
38. AN ACT To Require Any Circus, Carnival Or Traveling Show, Before Exhibiting In Aiken County, To Post A Bond With The County Health Department To Insure That The Exhibition Grounds Shall Be Left In A Sanitary Condition.—P. 29.
39. AN ACT To Prohibit Hunting From Certain Public Roads In Game Zone No. 3, And To Provide Penalties For Violations.—P. 30.
40. AN ACT To Repeal Article 14 Of Chapter 5 Of Title 53, Code Of Laws Of South Carolina, 1952, Relating To The Kershaw County Law Enforcement Board And The Kershaw County Rural Police.—P. 31.
41. AN ACT Creating The Kershaw County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.—P. 31.

42. AN ACT To Amend Act 779 Of 1960, Relating To Assessment And Equalization System Of Taxation In Charleston County, So As To Further Define The Purposes Of The Act; To Specifically Provide For The Right Of Appeal From Actions Of The Charleston County Board Of Assessors Created By The Act; And To Specifically Provide That The Functions Of The Charleston County Board Of Assessors Shall Be Complementary To The Functions Of The South Carolina Tax Commission.—P. 34.
43. AN ACT To Amend Section 23-177, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Greenwood County, So As To Further Define Greenwood No. 4.—P. 36.
44. AN ACT To Amend Section 65-2134, Code Of Laws Of South Carolina, 1952, Requiring The Tax Collector Of Abbeville County To Deposit All Tax Moneys In The Bank Of Abbeville, So As To Authorize Such Moneys To Be Deposited In A Chartered Bank In The County.—P. 36.
45. AN ACT To Provide For The Transfer Or Destruction Of Certain Auditor's Tax Duplicates By The Auditor Of Richland County.—P. 37.
46. AN ACT To Create The Office Of County Attorney In Dorchester County, And To Provide For His Appointment, Term Of Office And Duties.—P. 37.
47. AN ACT To Repeal Section 15-1728, Code Of Laws Of South Carolina, 1952, Relating To Writs Of Dedimus Potestatem.—P. 38.
48. AN ACT To Amend Section 17-306, Code Of Laws Of South Carolina, 1952, Relating To The Discharge Of A Prosecutor On His Own Recognizance, So As To Permit The Discharge Of Witnesses Also And To Provide Clerks' Costs; To Repeal Section 17-307, Code Of Laws Of South Carolina, 1952, Relating To The Discharge Of Witnesses; And To Repeal Section 17-308, Code Of Laws Of South Carolina, 1952, Relating To Clerks' Costs.—P. 39.
49. AN ACT To Repeal Section 16-315, Code Of Laws Of South Carolina, 1952, Relating To The Burning Of A Wain Or Cart Laden With Coal Or Other Goods And The Burning Of Wood.—P. 40.
50. AN ACT To Amend Section 17-452, Code Of Laws Of South Carolina, 1952, Relating To The Prosecution Of One Charged As An Accessory Before The Fact, So As To Eliminate A Cross Reference.—P. 40.
51. AN ACT To Amend Section 15-1810, Code Of Laws Of South Carolina, 1952, Relating To The Filling Of Vacancies In The Office Of Master, So As To Correct A Typographical Error In The Code.—P. 41.
52. AN ACT To Amend Section 15-1763, Code Of Laws Of South Carolina, 1952, Relating To Cases For Books And Papers For Offices Of Clerks Of Courts, So As To Delete Therefrom Specific Requirements For The Construction, Labeling And Division Of Such Cases.—P. 42.
53. AN ACT To Repeal Section 15-1762, Code Of Laws Of South Carolina, 1952, Which Provides That The Clerks Of Courts Of Common Pleas Shall Read The Minutes Or Entries Made In The Journal Of The Courts To The Presiding Judge.—P. 42.
54. An Act To Amend Section 18-224, Code Of Laws Of South Carolina, 1952, Relating To The Right Of Appeal By Persons Owning Lands Within Drainage Or Levee Districts, So As To Provide That Appeal Bonds May Be Approved By The Clerk Of Court.—P. 43.

55. AN ACT To Amend Section 18-569, Code Of Laws Of South Carolina, 1952, Relating To The Sale, Deeds And Title To Certain Delinquent Lands, So As To Delete A Duplicate Provision In The Section Which Resulted From The Splitting Of Section 6179, Code Of Laws Of South Carolina, 1942.—P. 43.
56. AN ACT To Amend Section 19-496, Code Of Laws Of South Carolina, 1952, Relating To The Execution Of Processes By Sheriffs, So As To Add The Provisions Of Section 19 505, Code Of Laws Of South Carolina, 1952, Thereby Consolidating The Two Sections Which Were Unnecessarily Separated; And To Repeal Section 19-505, Code Of Laws Of South Carolina, 1952, Relating To The Method Used To Pay Sheriff's Costs.—P. 44.
57. AN ACT To Repeal Section 17-106, Code Of Laws Of South Carolina, 1952, Relating To Coroners' Juries Standing Together Until Proclamation Be Made And Evidence Received At Inquests.—P. 45.
58. AN ACT To Amend Section 15-1184, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Making Additional Persons Parties To Cases Under The Jurisdiction Of The Children's Court Of Certain Counties, So As To Correct A Typographical Error In The Code.—P. 45.
59. AN ACT To Amend Section 15-1710, Code Of Laws Of South Carolina, 1952, Relating To Seals Of Office And Blank Books For Various Records To Be Furnished For The Clerks Of Courts' Offices, So As To Delete Therefrom Certain Requirements For The Composition Of The Seal Which Are No Longer Practical.—P. 46.
60. AN ACT To Repeal Item (10) Of Section 18-106, Code Of Laws Of South Carolina, 1952, Which Requires Reports To The General Assembly By Sanitary And Drainage Commissions.—P. 47.
61. AN ACT To Amend Section 20-1, Code Of Laws Of South Carolina, 1952, Relating To Persons Who May Lawfully Contract Matrimony, So As To Substitute The Words "Mentally Incompetent Persons" For The Words "Idiots" And "Lunatics".—P. 47.
62. AN ACT To Amend Sections 23-5, 23-306 And 23-307, Code Of Laws Of South Carolina, 1952, Relating In Part To The Oath Of Office To Be Taken By Certain Officeholders, So As To Delete The Oath With Respect To Dueling.—P. 48.
63. AN ACT To Amend Subparagraph (b) Of Section 23-62, Code of Laws Of South Carolina, 1952, Relating To Qualifications For Registration, By Substituting The Words "Mentally Incompetent" For The Words "Idiots Or Insane".—P. 50.
64. AN ACT To Amend Subitem (c) Of Item (1) Of Subsection B Of Section 12 Of Part II Of Act No. 140 Of 1959, As Amended, Relating To Withholding Of Taxes Of Certain Nonresident Contractors, So As To Correct A Typographical Error.—P. 51.
65. AN ACT To Create The Mullins Rescue Squad In Marion County And To Provide Penalties For Persons Interfering With The Duties Of Such Squad.—P. 52.
66. AN ACT To Create The Richland-Lexington Airport District; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of The District Not Exceeding Two Million Seven Hundred Thousand Dollars; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed By The District And To Make Provision For Its Payment; To Provide For The Reimbursement Of The District For Its Capital Outlays By Richland

- County, Lexington County, And The City Of Columbia To The Extent Herein Provided; To Provide For The Application For And Use Of Funds Which May Be Allocated To The District By The Federal, State Or Other Governments And To Provide For The Continuing Operation Of The Facilities Of The District.—P. 53.
67. AN ACT To Amend Act No. 820 Of The Acts Of 1960, Relating To School Districts Of Bamberg County, So As To Further Provide For The Proration Of Cash Between The Districts, And To Further Provide For Applications For Funds For Building Projects.—P. 65.
 68. AN ACT To Provide For The Governing Body Of The Town Of Bowman In Orangeburg County.—P. 67.
 69. AN ACT To Amend Act 800 Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By The City Of Myrtle Beach And The Town Of Ocean Drive Beach In Horry County, So As To Include The Town Of Crescent Beach Under The Provisions Thereof And To Make The Lien Created By The Act Apply As In Cases Involving Liens For Taxes.—P. 67.
 70. AN ACT To Provide For The Preparation Of The Official Enrollment Books Of Qualified Electors For Jury Purposes In Horry County.—P. 68.
 71. AN ACT To Empower The City Council Of The City Of Myrtle Beach To Order Special Elections To Determine If Myrtle Beach May Issue General Obligation Bonds Whose Proceeds Are To Be Used Solely For The Purpose Of Enlarging, Extending And Improving The Waterworks System Or The Sewage Disposal System Of The City Of Myrtle Beach, Pursuant To The Municipal Bond Act, Sections 47-831 To 47-860, Code Of Laws Of South Carolina, 1952, Inclusive, Without First Receiving A Petition Signed By A Majority Of The Freeholders Of The City.—P. 69.
 72. AN ACT To Amend Paragraph (3) Of Section 15-277, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Court In Laurens County, So As To Provide That The Court Of Common Pleas Shall Be Held At Laurens On The Second Monday In March For One Week.—P. 71.
 73. AN ACT To Provide For The Terms Of Office Of Magistrates For Saluda County, And To Repeal Act No. 611 Of The Acts Of 1960, Relating To The Terms Of Office Of Magistrates For Saluda County.—P. 71.
 74. AN ACT Creating The Allendale County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.—P. 72.
 75. AN ACT To Provide For A Property Board For McCormick County And To Provide For Its Membership, Powers And Duties.—P. 74.
 76. AN ACT To Create The Belton-Honea Path Water Authority In Anderson County; To Define Its Service Area; To Prescribe Its Functions And Powers; To Authorize The Authority To Borrow Money; To Confer Upon It All Powers Contained In Sections 59-361 Through 59-415 And 59-651 Through 59-682, Code Of Laws Of South Carolina, 1952, As Now Or Hereafter Amended; To Make Provision For The Disposition Of The Revenues And Earnings Of Such Authority; To Make It Unlawful To Hurt Or Damage The System Or Property Of The Authority Or To Obtain Water Therefrom Except In Accordance With The Regulations Of The Authority And To Prescribe Penalties For Violations Thereof.—P. 76.
 77. AN ACT To Amend Act No. 312 Of 1955 Relating To The Board Of Tax Appeals For Lee County, So As To Increase The Board Membership From Three To Seven And Provide That Two Of The Members Be Appointed Upon The Recommendation Of The Town Councils Of Lynchburg And Bishopville.—P. 85.

78. AN ACT To Amend Section 23-197, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Union County, So As To Abolish The Precincts Of Sedalia, Wilburn's Store, Gibbs And McBride's Store And To Amend Act 874 Of 1958, Relating To Voting Precincts In Union County For The Election Of School Officials, So As To Eliminate Wilburn's Store.—P. 87.
79. AN ACT To Provide For The Closing Of Alleys In The Town Of Johnston, In Edgefield County.—P. 88.
80. AN ACT To Increase The Terms Of Office Of The Mayor And Councilmen Of The City Of Lake City In Florence County.—P. 88.
81. AN ACT To Provide For The Terms Of Office Of Magistrates In Beaufort County.—P. 89.
82. AN ACT Requiring Vital Statistics Reports In York County, Now Filed In The Clerk Of Court's Office, To Be Filed Hereafter With The County Health Department.—P. 89.
83. AN ACT To Provide For The Terms Of Office Of The Mayor And Wardens Of The Town Of Ridgeway In Fairfield County.—P. 90.
84. AN ACT To Amend Act No. 912 Of 1960, Relating To Scholarships For Physically Handicapped Winners Of Certain Essay Contests For The Years 1959, 1960 And 1961, So As To Delete The Reference To The Years And To Make The Provisions Of The Act Permanent.—P. 91.
85. AN ACT To Repeal Sections 33-779 Through 33-782, Code Of Laws Of South Carolina, 1952, Relating To The Prohibition Against Obstruction Of Fording Or Crossing Places; Unnecessary Delay At Public Ferries, Toll Bridges Or Causeways; Penalties For Violation; And Disposition Of The Proceeds Of The Penalties.—P. 93.
86. AN ACT Requiring Any Person In Orangeburg County Constructing A New Building Or Making Improvements To An Existing Building Where The Cost Exceeds One Thousand Dollars To File A Report Of The Construction Cost With The Auditor Of The County And To Provide A Penalty For Violating The Provisions Hereof.—P. 92.
87. AN ACT Authorizing The Judge Of Probate For Florence County To Appoint A Deputy Judge Of Probate.—P. 93.
88. AN ACT To Authorize The Jasper County Board Of Education To Pay Any Outstanding Judgment.—P. 94.
89. AN ACT To Repeal Section 10-24, Code Of Laws Of South Carolina, 1952, Relating To Surety Bonds And Recognizances In Charleston County.—P. 94.
90. AN ACT To Amend Act No. 853 Of The Acts Of 1952, As Amended, Relating To The Election Of Trustees Of Greenville County School District No. 520, So As To Include Boiling Springs In Election Area II.—P. 95.
91. AN ACT To Amend Section 47-1591, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election Of The Mayor And Members Of Council Of The City Of Greenville, So As To Provide That The Mayor And Council May Prior To The Election Fix The Terms Of Office Of The Mayor And Council To Be Elected.—P. 96.
92. AN ACT To Amend Section 47-1331, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Naming Of Streets And Numbering Of Lots In Certain Counties, So As To Delete Therefrom The Radius Restriction, And To

- Make It Applicable To Counties With A City Having A Population Of Between Eighty-Five Thousand And One Hundred Thousand, According To The Latest United States Census.—P. 97.
93. AN ACT To Amend Section 64-1, Code Of Laws Of South Carolina, 1952, Prohibiting The Holding Of Public Sports Events On Sunday, So As To Authorize The Holding On Sunday Of Nationally Recognized Golf Tournaments Sponsored By Nonprofit Organizations At Times Other Than Hours Of Regular Church Worship.—P. 98.
 94. AN ACT To Provide For The Election Of School Trustees Of Abbeville County.—P. 99.
 95. AN ACT To Repeal Sections 40-201 Through 40-211, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Minor Indentured Apprentices.—P. 100.
 96. AN ACT To Repeal Section 44-653, Code Of Laws Of South Carolina, 1952, Relating To The Penalty For Violation Of Laws No Longer In Effect.—P. 100.
 97. AN ACT To Prohibit The Trapping And Sale Of Rabbits Subject To Certain Exceptions, And To Establish A Bag Limit On Rabbits Of Five In Any One Day In Game Zone 2.—P. 101.
 98. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Section 65-721, Providing For The Sale Of Business License Stamps To Nonresident Merchants Or Manufacturers For Individual Use.—P. 101.
 99. AN ACT To Repeal Section 44-475, Code Of Laws Of South Carolina, 1952, Relating To The Taking Of Affidavits, Probates Of Deeds And Similar Oaths By Commissioned Officers Of The Armed Forces Of The United States.—P. 102.
 100. AN ACT To Amend Act No. 185 Of The Acts Of 1957, Relating To The Colleton County Development Board, So As To Further Provide For The Powers And Duties Of The Board.—P. 103.
 101. AN ACT To Provide For The Division Of Certain Fines Levied In Lancaster County Between The County And The Municipalities.—P. 103.
 102. AN ACT To Amend Section 44-861, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Leaves Of Absence For State Employees For Military Training, So As To Provide For Leaves Of Absence For State Employees Who Are Members Of The Coast Guard Reserve And Of The United States Air Force Reserve.—P. 104.
 103. AN ACT To Create The Aiken County Commission For Higher Education And To Make Provision For Its Powers And Duties.—P. 105.
 104. AN ACT To Authorize The City Of Easley, In Pickens County, To Contract To Furnish Water Or Sewage Service To Any Person Within Or Without The City For A Period Not To Exceed Fifty Years.—P. 107.
 105. AN ACT To Amend Act No. 297 Of The Acts Of 1959 Relating To The Board Of Review For Tax Assessments In Berkeley County So As To Provide For The Filling Of Vacancies And To Provide For An Increase In The Membership Of Said Board.—P. 107.
 106. AN ACT To Amend Section 7 Of Act No. 19 Of The Acts Of 1957, Relating To Complaints To The Civil Service Commission For Certain Employees Of The City Of Easley, So As To Provide For Complaint To The Commission Or A Majority Of The Members Thereof.—P. 108.

107. AN ACT To Provide For The Establishment Of Community Mental Health Services Programs.—P. 110.
108. AN ACT To Add Section 15-1806.1 To The Code Of Laws Of South Carolina, 1952, So As To Provide Under What Circumstances The Probate Judge Of Lee County Shall Act As Master And To Prohibit Such Person From Drawing More Than One Salary.—P. 114.
109. AN ACT To Amend An Act Of 1961 Bearing Ratification No. 42, Relating To The Office Of Master For Dorchester County, So As To Further Provide For His Practice Of Law.—P. 115.
110. AN ACT To Amend Section 65-3101, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Forfeited Land Commission Of Dorchester County, So As To Increase The Membership.—P. 116.
111. AN ACT To Ratify Amendments To Section 7, Article VIII And Section 5, Article X, Of The Constitution Of South Carolina, 1895, Which Delete Certain Provisos Which Exempt The County Of Beaufort And Other Political Subdivisions Within The County From The Amount Of Bonded Indebtedness Which May Be Incurred By A Political Subdivision Of This State.—P. 116.
112. AN ACT To Authorize The Governing Body Of Greenville County To Invest Certain County Surplus And Unexpended Funds When It Would Benefit The Citizens Of The County.—P. 117.
113. AN ACT To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, So As To Increase The Limitation Upon The Bonded Indebtedness Of School District A Of Pickens County.—P. 118.
114. AN ACT To Authorize And Direct The County Of Richland, The County Of Lexington, And The City Of Columbia To Make, Execute And Deliver A Contract Binding Each Of Them To Provide Equally An Annual Appropriation Sufficient To Pay The Annual Operating Deficit, If Any, Of The Richland-Lexington Airport Commission.—P. 119.
115. AN ACT Requiring The Board Of Trustees Of School District No. 1 Of Saluda County To Submit An Annual Budget, Prohibiting The Levying And Collecting Of Certain Taxes Without First Holding A Referendum, And Requiring The Levying And Collecting Of Such Taxes When Approved By A Majority Of The Voters In The Referendum.—P. 120.
116. AN ACT To Change The Name Of The Hammond Precinct In Horry County To The Red Bluff Precinct.—P. 121.
117. AN ACT To Establish The School District Of Colleton County; To Define Its Area; To Provide For The Appointment Of A Governing Board Therefor; To Prescribe The Powers And The Duties Of The School District And Its Board; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of The District; To Make Provisions For The Repayment Thereof; To Establish Areas Of Administration Within The District; To Define Their Areas; To Provide For A Board Of Trustees For Each Area Of Administration; To Prescribe The Powers And Duties Of The Areas Of Administration And Their Trustees; To Abolish All Other School Districts And Boards In The County; And To Repeal Sections 21-2171 Through 21-2189, Code Of Laws Of South Carolina, 1952, Acts 963 And 831 Of 1952 And Act 126 Of 1953, Relating To Schools In Colleton County.—P. 122.
118. AN ACT To Amend Section 21-2617, Code Of Laws Of South Carolina, 1952, Relating To The Levying Of Taxes For School Purposes In Fairfield County, So As To Allow An Additional Levy Of Six Mills For School Operating Purposes Only, And To Provide For A Referendum Regarding Such Increase.—P. 131.

119. AN ACT To Amend Act No. 48 Of The Acts And Joint Resolutions Of 1955, Authorizing Tax Exemptions For Textile Plants And Plants Processing Fiber, Locating In Berkeley County, So As To Extend The Exemptions Authorized By The Act To Include Additions Exceeding One Hundred Thousand Dollars.—P. 132.
120. AN ACT To Amend Section 28-519, Code Of Laws Of South Carolina, 1952, Designating Brookgreen Gardens, Of Georgetown County, A Fish And Game Sanctuary, So As To More Clearly Define The Area Within The Sanctuary And Provide For Properly Posting And Signing The Sanctuary; To Prohibit Hunting And Fishing In The Area And To Provide Penalties For The Violation Hereof.—P. 132.
121. AN ACT To Amend Title 14, Chapter 42, Article 4, Code Of Laws Of South Carolina, 1952, Which Provides For A Recreational Board In Kershaw County So As To Create A Recreational Board In Kershaw County To Operate Playgrounds, Athletic Fields And Other Recreational Areas For The Benefit Of The Colored People Of Kershaw County.—P. 134.
122. AN ACT To Provide That Stable Or Kennel Keepers Shall Have A Lien On Any Horse Or Dog Until Such Time As The Cost Of Upkeep, Rest And Training Of The Horse Or Dog Is Paid And To Provide For The Sale Of The Horse Or Dog To Satisfy The Lien.—P. 135.
123. AN ACT To Amend Section 4 Of Act No. 809 Of The Acts Of 1958, Relating To Regulations Of The Breeding Of Certain Quail For Commercial Purposes, So As To Reduce The Cost Of Tags.—P. 135.
124. AN ACT To Provide For A Closed Season For The Taking Of Trout From Fresh Water Streams; To Provide A Daily Creel Limit; To Remove Size Limit; To Provide For Search Of Creels; To Provide Penalties For Violations; And To Repeal Sections 28-580, 28-581 And 28-591, Code Of Laws Of South Carolina, 1952, And Sections 71, 72 And 73 Of Act No. 898 Of The Acts Of 1952, Relating To The Closed Season And Size Limits For The Taking Of Trout.—P. 136.
125. AN ACT To Make Further Provision For The Catching Of Shad In Williamsburg County.—P. 138.
126. AN ACT To Amend Section 28-865, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Numbering Of Licensed Shrimp And Crab Boats, So As To Authorize The Division Of Commercial Fisheries In The Alternative To Fix The Size And Shape Of The Letters And Numerals To Be Displayed On Such Vessels.—P. 138.
127. AN ACT To Amend Act No. 99 Of The Acts Of 1953, As Amended, Creating The Civil Court For Horry, So As To Give The Court Criminal Jurisdiction And To Further Provide For The Proceedings And Powers Of The Court; And To Amend Section 6 Of Act No. 860 Of The Acts Of 1956, Relating To The Referral Of Certain Cases, So As To Properly Designate The New Name Of The Court; And To Provide For An Appropriation To Defray The Additional Salary Of The Judge For The Remainder Of The 1960-61 Fiscal Year.—P. 139.
128. AN ACT To Amend Section 15-645, Code Of Laws Of South Carolina, 1952, Relating To The Appointment Of A Special Judge For The County Court Of Greenville County So As To Further Provide For The Powers Of Such Special Judge.—P. 147.
129. AN ACT To Repeal Section 28-861.2-11, Code Of Laws Of South Carolina, 1952, Relating To Commercial Trawling For Shrimp In Beaufort County On Sunday.—P. 147.
130. AN ACT To Repeal Act No. 827 Of 1958, Relating To Exporting Of Clams In Beaufort County.—P. 148.

131. AN ACT To Amend Item (4) Of Section 28-795.1, Code Of Laws Of South Carolina, 1952, Relating To Cultivation Of Seed Oysters For Market, So As To Delete A Reference To A Code Section No Longer In Existence.—P. 148.
132. AN ACT To Amend Section 28-861, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Area Where Offshore Trawling For Shrimp And Prawn Is Permissible, So As To Further Define The Area.—P. 149.
133. AN ACT To Amend Section 28-1214, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Fishing Regulations In The Waters Of Lake Marion, Lake Moultrie, The Diversion Canal And The Tail Canal, So As To Further Provide For The Use Of Seines.—P. 151.
134. AN ACT To Eliminate The Size Limit On Fresh Water Game Fish And To Amend Section 28-1214, As Amended, Section 28-1015, Code Of Laws Of South Carolina, 1952, Act No. 898 Of 1952, As Amended, And Subsection (e) Of Section 4 Of Act No. 640 Of 1954, Relating To The Catching Of Fish In This State, So As To Further Provide Therefor, And To Repeal Sections 28-584 And 28-1226, Code Of Laws Of South Carolina, 1952, Relating To The Same.—P. 152.
135. AN ACT To Amend Act No. 1022 Of The Acts Of 1950, Relating To The Beaufort County Board Of Education, So As To Provide For The Appointment Of The Members To The Board And For The Future Election Of Members To The Board, And To Repeal Section 4 Of Act No. 1022 Of The Acts Of 1950.—P. 154.
136. AN ACT To Amend Act No. 311 Of The Acts Of 1959, Relating To Motor Vehicle Safety Responsibility, So As To Delete Therefrom Section 14 In Its Entirety Which Authorizes The Revocation Of Licenses Of Uninsured Drivers Who Receive A Certain Number Of Points For Traffic Violations Unless Proof Of Financial Responsibility Is Established; And To Direct That All Drivers' Licenses And Operating Privileges Suspended By Authority Of Section 14 Be Restored.—P. 155.
137. AN ACT To Create The Office Of Road Supervisor In Dorchester County; To Provide For His Term Of Office, Powers, Duties And Compensation; To Amend Section 14-1805, Code Of Laws Of South Carolina, 1952, Relating To The Powers And Duties Of The Dorchester Board Of County Directors, So As To Provide For The Powers And Duties Of The Road Supervisor; And To Amend Section 14-1806, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of Certain Officers In Dorchester County, So As To Provide For A Bond For The Road Supervisor.—P. 156.
138. AN ACT To Authorize Commissioners Of Public Works Of Incorporated Cities And Towns In Greenwood County To Borrow Money Upon Certain Conditions; To Provide For The Payment Thereof And To Ratify Any Borrowings Heretofore Made.—P. 157.
139. AN ACT To Provide For And Establish The Office Of Ministerial Recorder In And For The City Of Rock Hill And To Establish Its Powers And Duties.—P. 158.
140. AN ACT To Amend Subsection (a) Of Section 15 Of Act No. 311 Of The Acts Of 1959, As Amended, Relating To The Uninsured Motorists Fund, So As To Further Provide For The Registering And Licensing Of Certain Motor Scooters, Motor Bikes Or Similar Vehicles—P. 159.
141. AN ACT To Amend Act No. 701 Of 1956 Requiring The Payment Of County And Municipal Taxes Upon A Motor Vehicle Before It Shall Be Registered And Licensed, So As To Provide That The Vehicle Owner Must Also Have Paid All Such Taxes For Which He Was Liable On Any Vehicle Registered In His Name During The Preceding Three Years.—P. 160.

142. AN ACT To Amend Act No. 697, Acts And Joint Resolutions Of The General Assembly, 1960, Providing For The Retention Of Business Records By Banks, Classification Of Records By The State Board Of Bank Control And Other Matters Relating To Records Of Banks, So As To Delete Therefrom The Requirement That Banks Retain Capital Stock Ledgers And Certain Other Records.—P. 160.
143. AN ACT To Amend Section 10-1405, Code Of Laws Of South Carolina, 1952, Providing That References In Certain Counties Shall Be Referred To The Judges Of Probate For The Counties, So As To Remove Newberry County From The Provisions Of The Section And To Validate Those References Held By Qualified Persons Other Than Probate Judges.—P. 161.
144. AN ACT To Amend Section 68-175, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Rates Of Contributions By Employers Under The South Carolina Unemployment Compensation Law, So As To Increase The Tax Rates Of Employers Who Have Deficit Reserves.—P. 162.
145. AN ACT To Create The Office Of Tax Collector For Lancaster County, To Provide For His Employment, To Prescribe His Duties, And To Repeal Sections 65-3551 Through 65-3553, Code Of Laws Of South Carolina, 1952, Which Created The Office Of Executive Secretary Of The Tax Equalization Board Of The County.—P. 165.
146. AN ACT To Amend Title 68 Of The Code Of Laws Of South Carolina, 1952, As Amended, Known And Cited As The South Carolina Unemployment Compensation Law, So As To Change The Word "Employing" To "Employment"; Redefine "State"; Redefine "Exempt Employment"; To Remove From Exemption Services Performed In The Employ Of An Instrumentality Of The United States Which Is Neither Wholly Nor Partially Owned By The United States As Provided In Public Law 86-778 Granting Permission To The States To Cover Such Instrumentalities Under The Unemployment Compensation Law, Services In The Employ Of "Feeder Organizations" Of Nonprofit Organizations, Services Performed In The Employ Of A Voluntary Employee Beneficiary Association, Services Performed In The Employ Of An Agricultural Or Horticultural Organization; And To Change The Time Limit For Filing Request For Election As To Coverage.—P. 166.
147. AN ACT To Provide For The Governing Body Of The Town Of North In Orangeburg County.—P. 171.
148. AN ACT To Amend Section 65-64, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Powers Of The South Carolina Tax Commission, So As To Provide That The Commission Shall Prepare And Publish Annual Statistics.—P. 172.
149. AN ACT To Amend Section 19-474, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Filing Of Claims Against Estates, So As To Provide That Claims Not Filed Within The Specified Time Limit Shall Be Barred.—P. 172.
150. AN ACT To Amend Section 1-316, Code Of Laws Of South Carolina, 1952, Relating To The Distribution Of Printed Acts, So As To Provide That The Judges Of Probate Be Placed On The Distribution List.—P. 173.
151. AN ACT To Ratify An Amendment To Section 21, Article V, Of The Constitution Of This State Which Deletes The Provision Which Limits The Civil Jurisdiction Of Magistrates To Cases Where The Value Of Property In Controversy, Or The Amount Claimed Does Not Exceed One Hundred Dollars, And To Increase The Jurisdiction Of Magistrates In Criminal Cases.—P. 174.
152. AN ACT To Amend Act 788 Of 1952, Relating To Cooperative Credit Unions, So As To Delete Therefrom References To Deposits; To Increase The Charter

- Fee For Credit Unions From Three Dollars To Ten Dollars; To Provide That The Fiscal Year Of Cooperative Credit Unions May Close On Dates Other Than December Thirty-first; To Provide That The Offices Of Clerk And Treasurer Of A Credit Union May Be Held By The Same Person; To Reduce The Entrance Fee For Membership In Credit Unions From One Dollar To Twenty-Five Cents; To Delete The Word "Savings" In Section 13 Of The Act; And To Provide For The Conversion Of Credit Unions From State To Federal And Vice Versa.—P. 175.
153. AN ACT To Enlarge The Authority Of The Oconee Soil Conservation District, So As To Authorize The Right Of Eminent Domain.—P. 181.
154. AN ACT To Amend An Act Of 1961 Bearing Ratification No. 42, Relating To The Office Of Master For Dorchester County, So As To Further Provide For His Practice Of Law, And To Repeal An Act Of 1961 Bearing Ratification No. 165, Relating To The Office Of Master For Dorchester County.—P. 182.
155. AN ACT To Repeal Section 14-3613, Code Of Laws Of South Carolina, 1952, Relating To The Publication Of A Quarterly Report By The Supervisor Of York County.—P. 183.
156. AN ACT To Amend Section 21-351, Code Of Laws Of South Carolina, 1952, Relating To Employment Of Teachers Related To Board Members, So As To Further Provide For Such Employment.—P. 183.
157. AN ACT To Make It Unlawful For Any Out-Of-State Person To Conduct Any Phase Of Laundry Or Dry Cleaning Business In Horry County Without A License And To Make It Unlawful For Any Such Person To Use A Motor Vehicle In Horry County Without Proof Of Financial Responsibility.—P. 184.
158. AN ACT To Provide That The Probate Judge Of Horry County Shall Charge A Fee Of Five Dollars For Performing Marriage Ceremonies During Office Hours And To Provide That The Fees Shall Be Credited To The General Fund Of Horry County.—P. 185.
159. AN ACT Relating To Securities In The State; Prohibiting Fraudulent Practices In Relation Thereto; Requiring The Registration Of Broker-Dealers, Agents, Investment Advisers, And Securities; Defining Certain Terms; Providing For Other Matters Regulating Securities; And To Repeal Chapters 1 (Sections 62-1 To 62-7), 2 (Sections 62-51 To 62-54), 3 (Sections 62-101 To 62-121), 4 (Sections 62-151 To 62-165), 5 (Sections 62-201 To 62-203), 6 (Sections 62-251 To 62-255), and 7 (Sections 62-301 To 62-317) Of Title 62, Code Of Laws Of South Carolina, 1952.—P. 185.
160. AN ACT To Authorize The Clerk Of Court Of Jasper County To Destroy Chattel Mortgages Which Are Over Ten Years Old.—P. 222.
161. AN ACT To Provide For The Disposition Of Fees For Certain Judicial Sales In Jasper County.—P. 222.
162. AN ACT To Provide For The Disposition Of Fees For Furnishing And Certifying Records Of Birth In Jasper County.—P. 223.
163. AN ACT To Provide For The Testamentary Additions To Trusts.—P. 223.
164. AN ACT To Amend Section 28-5, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Game Zones, So As To Create A New Game Zone And To Provide For Its Open And Closed Seasons, And Bag Limits.—P. 224.
165. AN ACT To Amend Article 6 Of Chapter 5 Of Title 65 Of The Code Of Laws Of South Carolina, 1952, As Amended, So As To Provide For The Installment Method Of Reporting Income For Income Tax Purposes.—P. 226.

166. AN ACT To Amend Section 65-258, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Income Taxes So As To Further Define The Term "Adjusted Gross Income."—P. 228.
167. AN ACT To Amend Sections 65-601 Through 65-604, 65-608 And 65-609, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Annual Reports And License Fees Of Corporations, So As To Provide That The Reports And License Fees May Be Filed And Paid On The Income Year Basis, And To Provide For The Combination Of Certain Forms And Their Execution, And To Provide For The Payment Of A Portion Of The License Fee For The Short Period Between The Beginning Of The Calendar Year And The Corporation's Income Year, And To Define The Income Year.—P. 229.
168. AN ACT To Amend Section 15-1508, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Clerk Of The Civil And Criminal Court Of Charleston, So As To Provide For The Appointment Of A Temporary Clerk Of Court.—P. 233.
169. AN ACT To Amend Section 15-1601, Code Of Laws Of South Carolina, 1952, Relating To The Territorial Jurisdiction Of The Civil Court Of Florence County, So As To Extend The Territorial Jurisdiction Of The Civil Court Of Florence County So As To Include The Whole County If The Election Provided For Herein Results Favorably Thereto.—P. 234.
170. AN ACT To Amend The Subparagraph Captioned "General Guardian And Lunacy Commitment" Of Section 1 Of Act No. 838 Of 1958 Relating To Certain Fees Charged By The Judge Of Probate Of Charleston County So As To Provide That The Fees Paid For Certain Lunacy Commitments Be Paid To Charleston County.—P. 235.
171. AN ACT To Amend Section 15-1556, Code Of Laws Of South Carolina, 1952, Relating To Holding Of The City Court Of Charleston And The Police Court Of The City Of Charleston In The Absence Of The Recorder, So As To Further Designate Persons Who May Hold The Courts.—P. 236.
172. AN ACT To Define The Voting Precincts In Wards 13, 14, 15 And 16 Of The City Of Charleston.—P. 237.
173. AN ACT To Amend Act No. 228 Of 1957, As Amended, Relating To The St. Andrew's Parish Parks And Playgrounds Commission So As To Redefine Its Territorial Jurisdiction.—P. 239.
174. AN ACT To Create The Fripp Island Toll Bridge Authority; To Commit To It The Function Of Constructing And Operating A Toll Bridge Across The Body Of Water Separating Fripp Island And Hunting Island In Beaufort County Known As Fripp Inlet; To Prescribe The Functions And Powers Of The Authority; To Authorize The Authority To Borrow Money; To Confer Upon The Authority All Powers Contained In Chapter 3, Article 9, And Chapter 5, Title 59, Code Of Laws Of South Carolina, 1952; To Make Provision For The Disposition Of The Revenues Of The Authority; And To Make It Unlawful To Hurt Or Damage The Toll Bridge, Or Any Property Of The Authority, Or To Make Use Of The Same Except In Accordance With The Regulations Of The Authority, And To Prescribe Penalties For Violations Thereof.—P. 240.
175. AN ACT To Amend Sections 23-557, 23-558 And 23-559, Code Of Laws Of South Carolina, 1952, Providing For The Choosing Of Presidential Electors, Their Meeting And Organization, And Disposition Of The Lists For President And Vice President, So As To Comply With Directions Of United States Statutes Governing The Same Field; And To Repeal Sections 23-560, 23-561 And 23-562, Code Of Laws Of South Carolina, 1952, Relating To The Subject Of Lists Of Candidates For President And Vice-President Voted For And The Disposition Of The Lists.—P. 246.

176. AN ACT To Ratify An Amendment To Section 21 Of Article V Of The Constitution Of South Carolina Relating To The Jurisdiction Of Magistrates, So As To Provide That Magistrates In Anderson County Having Jurisdiction In Addition To That Conferred By The Constitution Upon Other Magistrates In Anderson County Shall Maintain An Office In The City Of Anderson.—P. 248.
177. AN ACT To Amend Act No. 879 Of The Acts Of 1960 Relating To The Croft Fire District In Spartanburg County, So As To Further Specify The Area Which Will Be Encompassed Within The District.—P. 250.
178. AN ACT Providing For Annual Audits Of The Schools Of Dorchester County.—P. 250.
179. AN ACT To Provide For Magistrates' Juries And Terms Of Court In Jasper County.—P. 251.
180. AN ACT To Amend Section 15-461, Code Of Laws Of South Carolina, 1952, Relating To Final Discharge Of Certain Fiduciaries, So As To Further Provide Therefor.—P. 252.
181. AN ACT To Repeal Section 30-70, Code Of Laws Of South Carolina, 1952, Requiring The Clerks Of Both Houses Of The General Assembly To Furnish The Comptroller General And The Treasurer Of The State Certain Certificates.—P. 253.
182. AN ACT To Amend Section 30-64, Code Of Laws Of South Carolina, 1952, Providing For Compensation Of Officers And Employees Of The General Assembly, So As To Delete The Reference To The Members.—P. 254.
183. AN ACT To Amend Section 30-59, Code Of Laws Of South Carolina, 1952, Providing For The Election Of Chaplains For The Senate And House Of Representatives, So As To Provide For Their Election On The First Day Of The Session Of Each General Assembly.—P. 254.
184. AN ACT To Provide That Persons Who Allow Their Property To Be Used As Public Shelters For Civil Defense Purposes Shall Not Be Civilly Liable For The Injury Or Death Of Any Person Who May Be Injured Or Killed On Such Premises, Or For The Loss Of Or Damage To The Property Of Any Person On Such Premises.—P. 255.
185. AN ACT To Amend Act 108 Of 1957, Relating To The System Of Vocational Rehabilitation Of The Physically Or Mentally Handicapped, So As To Include Within The Definition Of Physically Handicapped Individuals Severely Handicapped Persons And To Include Within The Definition Of Eligible Physically Handicapped Individuals Severely Handicapped Persons Who Are In Need Of Self Care Rehabilitation; To Define The Term "Self Care Rehabilitation Services"; To Provide That The State Agency Of Vocational Rehabilitation May Provide Self Care Rehabilitation Services For Severely Handicapped Persons; And To Provide That The State Agency Of Vocational Rehabilitation Shall Not Be Responsible For Permanent Custodial Care.—P. 255.
186. AN ACT Creating The Florence Public Library; Providing For Its Governing Body; Prescribing The Terms Of Office, Powers And Duties Of The Members Of The Governing Body; Transferring Title To Property And Facilities Used For Library Purposes Within The Library Area; Transferring Funds To The Library Board; And To Provide Funds For The Operation And Maintenance Of The Library.—P. 257.
187. AN ACT To Provide For The Deposit Of Certain Abbeville County Monies And To Provide An Appropriation To Purchase Land For The National Guard Armory At Abbeville.—P. 260.

188. AN ACT To Provide That The State Crop Pest Commission Shall Make An Annual Report To The General Assembly Of Its Administration Of The Economic Poisons Laws Of The State And Make Copies Available Upon Request.—P. 261.
189. AN ACT To Amend Section 65-2173, Code Of Laws Of South Carolina, 1952, Relating To The Term Of Office Of Tax Collector In Marlboro And Saluda Counties, So As To Further Provide For The Term Of The Collector In Saluda County.—P. 261.
190. AN ACT To Authorize The Election Of A Recorder For The Town Of Prosperity In Newberry County, And To Define His Duties And Powers And To Prescribe The Term Of Office.—P. 262.
191. AN ACT To Add Section 10-1312 To The Code Of Laws Of South Carolina, 1952, So As To Make Special Provisions For Legal Advertising Costs In York County.—P. 263.
192. AN ACT To Amend Act No. 99 Of The Acts Of 1959, Relating To The Greenville-Spartanburg Airport District, As Amended By Act No. 733 Of The Acts Of 1960, By Further Prescribing The Conditions Under Which The Bonds Authorized Thereby May Be Issued, The Manner Of Their Execution, And The Uses To Which The Proceeds Of The Bonds Shall Be Put.—P. 264.
193. AN ACT Creating The Dorchester County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.—P. 267.
194. AN ACT To Amend Section 30-57, Code Of Laws Of South Carolina, 1952, Relating To The Duties Of The Sergeant At Arms Of The Senate, And To Repeal Section 30-58, Code Of Laws Of South Carolina, 1952, Specifying Mileage And Per Diem Which Shall Be Received By Clerks, Reading Clerks And Sergeants At Arms Of Both Houses In Case Of An Extra Session Of The General Assembly.—P. 270.
195. AN ACT To Amend Section 30-60 And 30-61, Code Of Laws Of South Carolina, 1952, Providing For The Appointment Of Certain Officers And Employees Of The Senate And House Of Representatives So As To Clarify The Method Of Appointment.—P. 270.
196. AN ACT To Repeal Section 30-62, Code Of Laws Of South Carolina, 1952, Relating To Certain Employees Under Control Of Sergeant-at-Arms And To Repeal Section 30-63, Code Of Laws Of South Carolina, 1952, Which Provides For The Compensation Of Journal And Bill Clerks Of The General Assembly.—P. 272.
197. AN ACT To Amend Sections 30-53 And 30-54, Code Of Laws Of South Carolina, 1952, Providing For Stationery And Postage For Members Of The General Assembly, So As To Increase The Amount Authorized And To Delete Therefrom The References To Stationery And Mileage.—P. 272.
198. AN ACT To Amend Section 37-133, Code Of Laws Of South Carolina, 1952, Relating To Municipal License Fees And Taxes, So As To Provide That In Addition To License Fees Charged On A Percentage Of Premiums Collected In A Municipality A Fire Insurance Company Or Its Agents May Be Charged A License Fee Of A Percentage Of The Premiums Realized From Risks Located Within The Municipal Limits With Preference Being Given To The Municipality Wherein The Insured Property Is Located.—P. 273.
199. AN ACT To Amend Item (3) Of Section 43-644, As Amended, Code Of Laws Of South Carolina, 1952, Relating To Magistrates Outside The City Of Charleston In Charleston County, So As To Redefine The Territorial Jurisdiction Of The

- Magistrate In St. Andrew's Parish, To Give Him Ministerial Powers In Certain Other Territory, And To Provide For His Place Of Residence.—P. 274.
200. AN ACT To Amend Section 15-211, Code Of Laws Of South Carolina, 1952, Relating To The Qualifications Of Circuit Judges, So As To Provide That The President Of The Senate And The Speaker Of The House Of Representatives May Administer The Oaths Required By The Constitution.—P. 275.
201. AN ACT To Require The Clerk Of Court Of Pickens County, Notwithstanding Section 38-61, Code Of Laws Of South Carolina, 1952, To Issue His Venire Facias For Petit Jurors Summoned To Attend The Court Of General Sessions, Requiring Their Attendance On The Second Day Of The Week For Which They Have Been Drawn.—P. 276.
202. AN ACT To Define The Voting Precincts In St. Andrew's Parish In Charleston County.—P. 276.
203. AN ACT To Change The Open Season On Male Wild Turkeys In Berkeley County.—P. 277.
204. AN ACT To Authorize Coroners And Solicitors To Order Autopsies Or Post Mortem Examinations And To Repeal Act No. 140 Of 1955, Authorizing Solicitors To Order Autopsies Or Post Mortem Examinations When The Coroner Is Unavailable.—P. 278.
205. AN ACT To Authorize Commissioners Of Public Works Of Incorporated Cities And Towns In Greenwood County To Borrow Money Upon Certain Conditions; To Provide For The Payment Thereof; To Ratify Any Borrowings Heretofore Made And To Repeal Act Bearing Ratification No. 212 Of 1961.—P. 278.
206. AN ACT To Amend Act No. 541 Of 1954, Relating To The Regulation Of Economic Poisons, So As To Define Plant Regulators, Defoliants And Desiccants; To Further Define The Terms "Economic Poison", "Active Ingredient" And "Misbranded"; To Increase The Fee For Registering Economic Poisons With The South Carolina State Crop Pest Commission And To Provide That Such Increase Shall Be Retroactive To January 1, 1961; To Provide For Annual License Fees For Manufacturers Of Agricultural Chemicals; And To Provide That If Any Provision Of The Act Is Declared Unconstitutional Such Declaration Shall Not Affect The Remaining Provisions Of The Act.—P. 279.
207. AN ACT To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1961; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; Further Relating To The Operation Of The State Government During The Fiscal Year 1961-62; And To Enact As Permanent Laws Of The State Of South Carolina Measures To Authorize The State Highway Department To Own And Maintain Roadside Parks Adjacent To State Highways, Subject To Certain Conditions; To Amend Section 61-256, Code Of Laws Of 1952, As Amended, Relating To The Retirement Of Supreme Court Justices, Circuit Judges, And Financial Provision For Any Widows Of Such Officials; To Fix The Apportionment Of Representatives Of The General Assembly; To Adopt The United States Census Of 1960 As A True And Correct Enumeration Of The Inhabitants Of The Several Counties, Municipalities, And Other Governmental Subdivisions Of The State Of South Carolina; To Provide For The Issuance Of \$1,000,000.00 In General Obligation Bonds By The State Ports Authority For The Erection Of Grain Facilities; To Provide A New Method For The Distribution Of Revenues Collected By The State To The Counties And Municipalities Of The State; To Amend Section 61-211 And Section 61-212 Of The 1952 Code Of Laws, As Amended, Relating To The Retirement Of Certain Teachers And State Employees; And To Amend Section 2, Of Part III, Of Act No. 644 Of The Acts Of 1954, Relating To The Establishment And Use Of The General Fund Reserve.—P. 288.

208. AN ACT To Amend Item (11) Of Section 65-259, Code Of Laws Of South Carolina, 1952, Relating To The Deductions Allowed In Computing Net Income, So As To Increase The Limitations With Respect To The Deductions For Charitable Contributions Made By Individuals From Fifteen Per Cent To Twenty Per Cent And In Some Circumstances To Thirty Per Cent.—P. 405.
209. AN ACT To Amend Section 65-1421, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Use Tax So As To Provide For The Imposition Of Sales Or Use Tax On Construction Equipment Without Allowances For Proration Or Depreciation Under Certain Circumstances.—P. 406.
210. AN ACT To Authorize The South Carolina Wildlife Resources Department To Negotiate A Reciprocal Agreement With The Authorities Of The State Of Georgia In Regard To Fishing In The Savannah River Below Clark's Hill Dam.—P. 408.
211. AN ACT Requiring The Filing And Recording Of Commissions Or Documents Of Authority Of Persons Holding Office In Hampton County.—P. 409.
212. AN ACT To Amend Section 15-263, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Second Judicial Circuit, So As To Redesignate When The Terms Shall Be Held.—P. 409.
213. AN ACT To Amend Act No. 836 Of 1952, As Amended, Relating To The Mentally Ill Or Deficient, So As To Further Provide For The Admittance Of Such Persons To Veterans Administration Hospitals.—P. 411.
214. AN ACT To Amend Section 72-107, Code Of Laws Of South Carolina, 1952, Exempting Casual Employees And Other Excepted Employments From The Provisions Of The South Carolina Workmen's Compensation Law, So As To Include Employees And Employers Operating Peach Packing Sheds.—P. 412.
215. AN ACT To Amend Section 15-714, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Civil Jurisdiction Of The County Court Of Orangeburg County, So As To Enlarge The Jurisdiction Of The Court.—P. 414.
216. AN ACT To Amend Act No. 800 Of The Acts Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By Certain Municipalities In Horry County, So As To Include The Town Of Cherry Grove Beach Under The Provisions Thereof.—P. 414.
217. AN ACT To Amend Section 19-111, Code Of Laws Of South Carolina, 1952, Relating To Renunciation Of Dower, So As To Simplify The Provisions Relating To The Renunciation Of Dower And To Require The Official Seal Of The Officer Before Whom The Renunciation Is Made.—P. 415.
218. AN ACT To Amend Section 21-225, Code Of Laws Of South Carolina, 1952, Relating To The Removal From Office Of School District Trustees, So As To Change The Provision Of Appeals From The State Board Of Education To The Court Of Common Pleas.—P. 416.
219. AN ACT To Repeal Sections 22-51 Through 22-55, Code Of Laws Of South Carolina, 1952, Relating To Free Tuition In State Institutions Of Higher Learning, As These Sections Are Now Obsolete.—P. 417.
220. AN ACT To Amend Section 37-537, Code Of Laws Of South Carolina, 1952, Relating To The Inapplicability Of Group Accident And Health Insurance Provisions To Other Types Of Insurance Contracts, So As To Refer To New Sections Which Have Replaced The Section Referred To In This Section.—P. 417.
221. AN ACT To Repeal Act No. 747 Of Acts And Joint Resolutions Of 1952, Relating To Capitation Tax On Dogs And To The Property Status Of Dogs Under Certain Conditions.—418.

222. AN ACT To Repeal Sections 33-511 Through 33-515, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of Gates Upon The Highways Of This State And The Maintenance Of Or Damage To Such Gates, Since This Conflicts With The Highway Obstruction Statutes.—P. 418.
223. AN ACT To Repeal Sections 33-616 And 33-617, Code Of Laws Of South Carolina, 1952, Making It Illegal To Carry Fire On Bridges And Prohibiting The Construction Of Certain Buildings Near Bridges.—P. 419.
224. AN ACT To Repeal Sections 33-721 Through 33-725, Code Of Laws Of South Carolina, 1952, Relating To Ferry Service Across MacKay's Creek And Skull Creek In Beaufort County.—P. 419.
225. AN ACT To Repeal Section 33-733, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Maintenance Of Certain Ferries Across Black River And Catawba River.—P. 420.
226. AN ACT To Repeal Sections 33-760 Through 33-778.2, Code Of Laws Of South Carolina, 1952, Relating To Privately Owned Toll Roads, Bridges And Ferries.—P. 420.
227. AN ACT To Repeal Section 33-783, Code Of Laws Of South Carolina, 1952, Permitting The Owners Of Certain Destroyed Bridges To Establish Temporary Ferries Across Rivers In This State.—P. 420.
228. AN ACT To Repeal Section 37-109, Code Of Laws Of South Carolina, 1952, Relating To The Conduct Of Fire Insurance Business In This State By Foreign Insurance Companies.—P. 421.
229. AN ACT To Repeal Sections 39-61 Through 39-64, Code Of Laws Of South Carolina, 1952, Relating To The Purchase Of Land By The United States In This State As Sites For The Erection Of Arsenals And Magazines.—P. 421.
230. AN ACT To Repeal Sections 44-401 Through 44-411, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of A State Council Of Defense.—P. 422.
231. AN ACT To Establish A Bag Limit On Rabbits In Game Zone 3.—P. 422.
232. AN ACT To Repeal Sections 56-201, 56-203, 56-204 And 56-205, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of Auctioneers, Liability Of Purchasers Refusing To Comply With Purchase, Remedy Against Auctioneers By Owners And Responsibility By Auctioneers For Loss Of Goods Without Fault, Respectively.—P. 422.
233. AN ACT To Repeal Section 56-503, Code Of Laws Of South Carolina, 1952, Relating To The Duty Of Prosecuting Attorneys For Violations Concerning Dentists, Dental Hygienists And Dental Laboratory Technicians.—P. 423.
234. AN ACT To Repeal Section 56-1317, Code Of Laws Of South Carolina, 1952, Relating To Limited Exemptions Of Country Merchants.—P. 423.
235. AN ACT To Repeal Section 58-731, Code Of Laws Of South Carolina, 1952, Relating To Publication Of Lists Of Persons In Railroad Business Not Incorporated By This State.—P. 424.
236. AN ACT To Repeal Section 58-741, Code Of Laws Of South Carolina, 1952, Relating To Charging Or Collecting From Railroad Passengers Extra Compensation For Crossing Bridges.—P. 424.
237. AN ACT To Repeal Section 58-745, Code Of Laws Of South Carolina, 1952, Requiring Railroad Corporations To Pay Shop Employees Semimonthly.—P. 424.

238. AN ACT To Repeal Sections 66-351 Through 66-353, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Barrels Of Pork And Beef.—P. 425.
239. AN ACT To Repeal Sections 66-361 Through 66-364, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Fraudulent Mixtures Of Rice.—P. 425.
240. AN ACT To Amend Section 67-56, Code Of Laws Of South Carolina, 1952, Relating To Issuing Citations Against Trustees Removing From The State, So As To Eliminate Guardians And Committees From The Provisions Of This Section.—P. 425.
241. AN ACT To Repeal Section 70-8, Code Of Laws Of South Carolina, 1952, Which Is Now Obsolete, Relating To The Passage Of Vessels Under Bridges.—P. 426.
242. AN ACT To Prohibit The Destruction Of Sea Oat Plants Within Certain Areas; And To Provide Penalties For Violations.—P. 427.
243. AN ACT To Make Statutes Which Are Applicable To A County Containing A City, Or To A City, With A Population Of More Than Seventy Thousand According To The Latest United States Census, Applicable To A County Containing A City, Or To A City, Having Such Population As A Result Of Annexing Certain Areas When The Population Of The Areas Is Certified By The Bureau Of The Census.—P. 427.
244. AN ACT To Provide For The Renunciation Of Dower In Regard To Land Subject To Conveyance Or Mortgage By An Attorney In Fact.—P. 428.
245. AN ACT To Amend Section 10-451, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Service Of Process, So As To Provide For Service In Proceedings For The Determination Of Parental Rights On Nonresidents Or On Persons Upon Whom Service Cannot Be Had Within The State.—P. 429.
246. AN ACT To Exempt The Property Of The Boys Of America Home In Greenville County From All County Taxes.—P. 430.
247. AN ACT To Create The Greenville County Library; To Provide A Governing Body Therefor And Define Its Powers And Duties; To Provide A Tax Levy For The Operation Of The Library And To Repeal Sections 42-411 Through 42-422, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Library District.—P. 431.
248. AN ACT To Amend Section 6-495, Code Of Laws Of South Carolina, 1952, Which Exempts Certain Slaughtering Establishments From The Provisions Of Article 5, Chapter 5 Of Title 6, By Changing "Bureau Of Animal Industry" To "Animal Disease Eradication Division."—P. 434.
249. AN ACT To Repeal Sections 3-161 Through 3-170, Code Of Laws Of South Carolina, 1952, Regulating The Sale And Use Of Insecticide And Fungicide, Which Sections Have Been Superseded By The South Carolina Economics Poison Law Of 1954.—P. 435.
250. AN ACT To Repeal Section 22-217, Code Of Laws Of South Carolina, 1952, Prohibiting Compensation For Meetings Of The Board Of Trustees Of Clemson Agricultural College.—P. 435.
251. AN ACT To Repeal Sections 17-116 And 17-117, Code Of Laws Of South Carolina, 1952, Providing For The Examination Of Dead Bodies By Clemson Agricultural College And Requiring The College To Make Chemical Analyses Of Dead Bodies In Certain Cases As The Provisions Of These Sections Are No Longer Adhered To.—P. 435.
252. AN ACT To Amend Section 6-411, Code Of Laws Of South Carolina, 1952, Requiring The State To Pay Portion Of Indemnity For Cattle Infected With Bang's

- Disease, So As To Change The Words "Bureau Of Animal Industry" To "Animal Disease Eradication Division."—P. 436.
253. AN ACT To Amend Section 6-341, Code Of Laws Of South Carolina, 1952, Providing For The Inoculation Against Cholera For Swine, So As To Change The Word "Virus" Appearing In The Second Sentence To "Vaccine".—P. 437.
254. AN ACT To Amend Section 6-442, Code Of Laws Of South Carolina, 1952, Defining Approved Accredited Veterinarian, By Striking Out The Words "Chief, Bureau Of Animal Industry" And Inserting In Lieu Thereof The Words "Director Of Animal Disease Eradication Division."—P. 438.
255. AN ACT To Amend Section 6-445, Code Of Laws Of South Carolina, 1952, Authorizing The State Veterinarian To Set Up A Program For Vaccination Of Calves, By Striking Out The Words "United States Bureau Of Animal Industry" And Inserting In Lieu Thereof The Words "Animal Disease Eradication Division, United States Department Of Agriculture."—P. 438.
256. AN ACT To Amend Act No. 898 Of 1952, As Amended, Relating To Hunting Licenses, So As To Increase The Nonresident Hunter's License Fee From Twenty Dollars And Twenty-Five Cents To Twenty-Two Dollars And Twenty-Five Cents; To Increase The Temporary Nonresident Hunter's License Fee From Ten Dollars And Twenty-Five Cents To Eleven Dollars And Twenty-Five Cents And To Provide For The Disposition Of Such License Fee Increases.—P. 439.
257. AN ACT To Amend Section 6-455, Code Of Laws Of South Carolina, 1952, Authorizing The Clemson Agriculture College To Cooperate With The United States Department Of Agriculture In The Control And Eradication Of Brucellosis, So As To Delete "United States Bureau Of Animal Industry" And Insert In Lieu Thereof The "Animal Disease Eradication Division, United States Department Of Agriculture"; And To Change "Livestock Sanitary Department" To "Livestock And Poultry Health Department".—P. 441.
258. AN ACT To Amend Act No. 360 Of The Acts Of 1957, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Public Shooting Preserves In Game Zone No. 6 On All Types Of Pen Raised Game.—P. 442.
259. AN ACT To Add An Article To Chapter 4 Of Title 51, Code Of Laws Of South Carolina, 1952, So As To Create The Hartsville Community Center Building Commission Of Hartsville Township In Darlington County, To Set Forth Its Membership And To Provide For Its Powers And Duties, To Ratify All Previous Acts Of The Commission; And To Repeal Act No. 1046 Of The Acts Of 1934.—P. 443.
260. AN ACT To Amend Section 22-304, Code Of Laws Of South Carolina, 1952, Relating To The Election Of Members Of The Board Of Visitors Of The Citadel, So As To Provide For The Filling Of Certain Vacancies On The Board.—P. 446.
261. AN ACT To Authorize The Town Of Central In Pickens County To Contract To Furnish Water Or Sewage Service To Any Person Within Or Without The City For A Period Not To Exceed Fifty Years.—P. 447.
262. AN ACT To Enlarge The Authority Of The Pickens Soil Conservation District, So As To Authorize The Right Of Eminent Domain.—P. 447.
263. AN ACT To Amend ACT No. 79 Of The Acts And Joint Resolutions Of The General Assembly Of 1955, As Amended, Relating To The Operation, Maintenance And Financing Of The Public Schools Of Union County, So As To Further Provide For The Millage To Be Levied.—P. 448.
264. AN ACT To Amend Section 65-1952, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of County Treasurers So As To Further Provide For The Bond For The Treasurer And Any Assistant In Hampton County.—P. 449.

265. AN ACT To Amend Section 10-1731, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Judicial Process In Aid Of Satisfaction Of Judgments, So As To Extend Such Process To The Application Of Certain Property Of The Judgment Debtor To The Satisfaction Of The Judgment.—P. 450.
266. AN ACT To Prohibit The Use In Telephonic Communications Of Indecent Words; To Provide A Penalty For Violation; And To Provide For The Venue Of Such Prosecution.—P. 451.
267. AN ACT To Amend Section 28-861.1, Code Of Laws Of South Carolina, 1952, Relating To The Open Season For Trawling For Shrimp Or Prawn In Certain Areas, So As To Further Define Such Areas.—P. 451.
268. AN ACT To Amend Section 7 Of Act No. 898 Of 1952, Which Permits Certain Orphans To Fish Or Hunt Without A License, So As To Include All Blind Residents Of This State And Boy Or Girl Scouts Under The Provisions Thereof.—P. 452.
269. AN ACT To Add Section 68-5 To The Code Of Laws Of South Carolina, 1952, So As To Define The Average Weekly Wage Of An Insured Worker Within The Meaning Of The Unemployment Compensation Act; To Amend Sections 68-102, As Amended, 68-104, As Amended, 68-114, As Amended, 68-176, As Amended, 68-253, As Amended, Code Of Laws Of South Carolina, 1952, Relating To The South Carolina Unemployment Compensation Law, So As To Redefine Insured Worker, Revise The Weekly Benefit Amount, Revise The Disqualification Provisions And Add A Disqualification For Voluntary Retirement, To Adjust Employer Contribution Rates To Protect The Solvency Of The Fund And To Provide For The Termination Of Coverage Of A Predecessor Employer Whose Experience Rating Reserve Was Transferred To A Successor.—P. 453.
270. AN ACT To Amend Act 360 Of 1957, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Shooting Preserves In Game Zones Nos. 2 And 3 On All Types Of Pen-Raised Game.—P. 459.
271. AN ACT To Amend Act No. 667 Of The Acts Of 1956, As Amended, Authorizing The Director Of The Division Of Game Of The Wildlife Resources Department To Make Special Studies In Game Zone 2, And Authorizing The Director To Declare Open Seasons In Killing Deer And Turkey In Game Zone 2, So As To Include Game Zone 4 Under The Provisions Of This Act; And To Repeal Act No. 727 Of The Acts Of 1958.—P. 460.
272. AN ACT To Add A New Subsection To The Code Of Laws Of South Carolina, 1952, Which Shall Be Known As Subsection (7), Of Section 65-258, Code Of Laws Of South Carolina, 1952, Relating To The Definition Of "Adjusted Gross Income" For Certain Purposes, So As To Allow, As Exclusions From Adjusted Gross Income, Certain Portions Of Amounts Received By An Employee As Distributions From An Employees' Trust Exempt From Taxation Under Section 65-226(9) Of The Code Of Laws Of South Carolina, 1952.—P. 461.
273. AN ACT To Repeal Section 33-1622, Code Of Laws Of South Carolina, 1952, Relating To The Regulation Of The Business Of Hauling For Hire With Teams And Wagons In Fairfield County.—P. 462.
274. AN ACT To Amend Act No. 311 Of 1959, As Amended By Act No. 803 Of The Acts And Joint Resolutions Of The General Assembly Of 1960, Relating To Motor Vehicle Liability Policies And The Uninsured Motorists Fund, So As To Provide That No Person Shall Be Required To Pay The Uninsured Motorists Fee More Than Once During Any License Year.—P. 462.
275. AN ACT To Repeal Section 58-1024, Code Of Laws Of South Carolina, 1952, Suspending Sections 58-1021 And 58-1022 During World War II, Which Relate To Operations Of Railroads On Sunday.—P. 464.
276. AN ACT To Repeal Section 58-1197, Code Of Laws Of South Carolina, 1952, Which Prohibits The Lighting Of Passenger Cars On Railroads With Materials

Which Would Ignite At Certain Temperatures And Requires The Securing Of Stoves.—P. 464.

277. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, Relating To Income Taxes, So As To Provide For The Waiving Of Penalties And Interest Imposed By The Income Tax Act Of 1926, As Amended; To Amend Section 65-2682, Code Of Laws Of South Carolina, 1952, Relating To Refunds Of Taxes Erroneously Collected, So As To Further Provide Therefor; And To Amend Section 65-322, Code Of Laws Of South Carolina, 1952, Relating To Income Taxes, So As To Provide For A Three-Year Period Of Limitation For The Assessment Of Additional Income Taxes.—P. 465.
278. AN ACT To Amend Item (4) Of Section 65-801, Code Of Laws Of South Carolina, 1952, Relating To Admissions Taxes, So As To Remove The Exemption From Admission Taxes Of Admissions Paid To Athletic Contests Of Institutions Of Higher Learning.—P. 466.
279. AN ACT To Amend Section 65-765, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Exemptions From The Soft Drinks Tax, So As To Require An Application And An Affidavit For Exemption, To Permit The South Carolina Tax Commission To Inspect The Formulas And Manufacturing Processes Of Any Person Applying For Exemption, To Make Unlawful The Divulgence Of Certain Information, And To Provide Penalties For Violations.—P. 467.
280. AN ACT To Amend Section 33-107, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Construction And Maintenance Of Belt Lines And Spurs By The State Highway Commission, So As To Further Provide For Their Establishment Or Construction.—P. 470.
281. AN ACT To Amend Section 10 Of Act No. 818, 1960, Relating To Prisoner-Produced Products Among Other Things, So As To Exempt Certain Agricultural Products From The Provisions Thereof Until December 31, 1963.—P. 471.
282. AN ACT To Regulate The Fishing And Hunting Upon The Waters Of The Hartwell Reservoir, To Provide For Reciprocal Agreements With Other States, And To Provide Penalties For Violations.—P. 471.
283. AN ACT Declaring All Species Of Pheasant And Francolins As Game Birds; To Provide For Their Protection; To Provide For Open Seasons For The Taking Of Such Birds; And To Provide Penalties For Violations.—P. 475.
284. AN ACT To Amend Act No. 139 Of The Acts Of 1953, Relating To The Issuance By The State Of South Carolina Of Its State Institution Bonds, As Now Amended, By Further Prescribing The Terms, Purposes And Conditions Under Which State Institution Bonds May Be Issued, By Enlarging The Amount That May At Any Given Time Be Outstanding, And By Further Defining The Coverage Formula To Be Employed In Issuing State Institution Bonds.—P. 476.
285. AN ACT To Amend Article 6 Of Chapter 15 Of Title 21, As Amended, Code Of Laws Of South Carolina, 1952, Which Article Contains Authorizations For The Issuance Of State School Bonds, By Extending The Occasion By Which The Last Maturing State School Bonds Must Mature, And By Further Defining The Pledge Made To Secure All State School Bonds.—P. 480.
286. AN ACT To Amend Section 21-289, Code Of Laws Of South Carolina, 1952, As Amended, Which Section Authorizes Advances For Capital Improvements To Be Made By The Educational Finance Commission To Public School Operating Units So As To Extend The Period Against Which Such Advances May Be Made.—P. 481.
287. AN ACT To Provide That Certain Recorders May Suspend Sentences And Place Persons On Probation In Cases Within Their Jurisdiction.—P. 483.

288. AN ACT To Create The Board Of Rural Fire Control Of Oconee County; To Set Forth Its Membership, Powers And Duties; To Provide Funds For The Purposes Of The Board; To Authorize Certain Persons To Investigate Fires And Enforce Fire Laws; To Make Certain Acts Unlawful And To Provide Penalties Therefor.—P. 483.
289. AN ACT To Set The Terms Of Office Of The Mayor And City Councilmen Of The City Of Conway In Horry County.—P.486.
290. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Section 47-252.5 So As To Provide That The Town Council Of The Town Of New Ellenton In Aiken County May Levy An Annual Tax Of Not Exceeding Forty Mills Upon All Of The Taxable Property In The Town.—P. 487.
291. AN ACT To Establish A Board Of Rural Fire Control For Newberry County And To Define Its Powers And Duties; To Establish Eligibility Requirements For Communities Who Wish To Receive Fire-Fighting Equipment; To Provide For The Supervision, Maintenance And Use Of The Equipment; To Authorize The Borrowing Of Sums, The Total Of Which Shall Not Exceed Sixty Thousand Dollars, For The Purchase Of Fire-Fighting Equipment And Other Needs Connected With Rural Fire Protection; And To Provide For Its Payment.—P. 487.
292. AN ACT To Amend Section 65-3561, Code Of Laws Of South Carolina, 1952, Relating To Tax Districts In Laurens County So As To Redefine Such Districts.—P. 490.
293. AN ACT To Amend Section 3 Of Act No. 812 Of 1952, As Amended, Relating To The Board Of Trustees Of The School District Of Fairfield County, So As To Provide That The Membership Of The Board May Be Increased From Seven To Nine Members.—P. 490.
294. AN ACT To Create The Anderson County Fire Protection Commission And Define Its Powers And Duties; To Authorize The Commission To Levy A Tax; To Permit The Supervisor To Make Certain Transfers Of County-Owned Real Property To The Commission; To Prohibit Certain Acts Relating To Fires And Fire Departments And To Provide Penalties For Violations; To Require Additional Duties Of Peace Officers; And To Grant Certain Police Powers To Members Of The Fire Department.—P. 492.
295. AN ACT To Amend Section 58-1265, Code Of Laws Of South Carolina, 1952, Prohibiting The Obstructing Of Railroads Generally On Which Steam Engines Or Hand Cars Are Used, So As To Include Diesel Engines Or Any Other Type Engines.—P. 496.
296. AN ACT To Repeal Section 54-351, Code Of Laws Of South Carolina, 1952, Relating To Harboring Mariners Over One Hour.—P. 497.
297. AN ACT To Amend Section 53-80, Code Of Laws Of South Carolina, 1952, Relating To Salaries, Uniforms And Equipment Of Deputy Sheriffs, So As To Delete The Provision Relating To The Furnishing Of Horses.—P. 497.
298. AN ACT To Amend Section 47-1176, Code Of Laws Of South Carolina, 1952, Regarding Inquiries Into The Origin Of Fires By Inspectors Of Buildings Of Incorporated Cities, So As To Eliminate Verbiage.—P. 498.
299. AN ACT To Amend Item (3) (a) Of Section 5 Of Act 886 Of 1958, Relating To Business Development Corporations, So As To Permit Short Term Borrowing By Such Corporations.—P. 499.
300. AN ACT Making It Unlawful To Start Certain Fires In Chesterfield County Without Obtaining A Permit And To Provide Penalties For Violations.—P. 499.
301. AN ACT To Amend Section 28-845 Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Quantity Of Shell Or Seed Oysters Which Shall Be

- Planted Under Leases, So As To Decrease The Quantity Of Shell Or Seed Oysters Per Acre From One Hundred Bushels To Sixty-Five Bushels And So As To Delete The Requirement Of Planting By Canneries And Raw Shucking Houses.—P. 500.
302. AN ACT To Amend Item (2) Of Section 15-269, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Fifth Judicial Circuit, So That Jury Matters May Be Disposed Of During The First Week Of March Rather Than Equity And Similar Matters.—P. 501.
303. AN ACT To Amend Section 33-123, Code Of Laws Of South Carolina, 1952, Setting A Minimum Width Of Rights Of Way, So As To Authorize The South Carolina State Highway Department To Decrease The Width Of Rights Of Way In Greenville County.—P. 502.
304. AN ACT To Amend Act No. 714 Of The Acts Of 1956 Relating To Magisterial Districts In Spartanburg County And The Salaries Of The Magistrates, So As To Further Provide For The Number Of Magistrates, And To Provide For The Jurisdiction Of The Magistrates.—P. 503.
305. AN ACT To Amend Section 28-866, Code Of Laws Of South Carolina, 1952, Relating To Penalties For Violations Of The Article Relating To Trawling For Shrimp And Prawn, So As To Delete Therefrom A Reference To A Certain Code Section.—P. 505.
306. AN ACT To Enlarge The Authority Of The Greenville County Soil Conservation District So As To Authorize The Right Of Eminent Domain.—P. 506.
307. AN ACT To Prohibit Hunting From Public Roads Under Certain Conditions In Game Zone 6, And To Provide Penalties For Violations.—P. 506.
308. AN ACT To Repeal Sections 56-153 Through 56-160, Code Of Laws Of South Carolina, 1952, Relating To The Investigation And Proceedings To Be Followed When Certain Attorneys Are Charged With Misconduct, Malpractice, Etc.—P. 507.
309. AN ACT To Repeal Sections 56-119 Through 56-123, Code Of Laws Of South Carolina, 1952, Relating To The Examination Of Applicants For Admission To Practice Law Who Are Serving In The Military Forces.—P. 508.
310. AN ACT To Repeal Section 56-114, Code Of Laws Of South Carolina, 1952, Relating To The Qualifications Of Applicants For Examinations By The Board Of Law Examiners.—P. 508.
311. AN ACT To Repeal Section 59-535, Code Of Laws Of South Carolina, 1952, Relating To The Sale Of Water By The Town Of Eau Claire In Richland County.—P. 508.
312. AN ACT To Repeal Section 54-360, Code Of Laws Of South Carolina, 1952, Placing The Burden Of Proof Of Any Person In The Business Of Procuring Seamen For Vessels Who Boards A Vessel To Show That He Was There With Permission When Charged With Violating Sections 54-358 And 54-359, Code Of Laws Of South Carolina, 1952.—P. 509.
313. AN ACT To Repeal Section 54-357, Code Of Laws Of South Carolina, 1952, Which Requires Masters Of Vessels Lodging Seamen In Jail For Desertion To Post Bond.—P. 509.
314. AN ACT To Amend Section 49-4, Code Of Laws Of South Carolina, 1952, Relating To The Oath Of Office Of Notaries Public, So As To Delete An Inapplicable Provision Relating To Duelling.—P. 510.
315. AN ACT To Repeal Sections 47-1225, 47-1226, 47-1227, 47-1228 And 47-1231, Code Of Laws Of South Carolina, 1952, Relating To Specifications For Walls, Roofs,

- Foundations, Joists And Timbers Of Brick Or Stone Buildings Used For Business Purposes And Excluding Fireproof Buildings Where The Framework Is Of Steel.—P. 510.
316. AN ACT To Repeal Section 47-405, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of Public Baths In Cities Of More Than Twenty Thousand Population.—P. 513.
317. AN ACT To Amend Section 59-618, Code Of Laws Of South Carolina, 1952, Relating To The Holding Of An Election As A Prerequisite To The Issuance Of Bonds To Meet The Cost Of Construction Or Acquisition Of Lighting, Waterworks, Fire Protection Or Sewerage Systems, So As To Further Clarify The Provisions For Holding Such Election.—P. 511.
318. AN ACT To Repeal Section 66-6, Code Of Laws Of South Carolina, 1952, Relating To Specifications For Shingles And Staves.—P. 512.
319. AN ACT To Provide For A Dairy Commission, Its Powers And Duties; To Provide For The Orderly Marketing Of Milk, Milk Products, Frozen Desserts And Frozen Dairy Foods And To Prohibit The Sale Below The Costs Thereof For The Purpose Of Or With The Effect Or Intent Of: Restraining, Lessening Or Destroying Competition, Creating A Monopoly, Injuring A Competitor, Unfairly Diverting Trade From A Competitor, Or Otherwise Impairing Or Disrupting The Orderly Marketing Of Such Products; To Continue The Terms Of The Present Commissioners; And To Repeal Act No. 230 Of 1953 And Act No. 255 Of 1955.—P. 512.
320. AN ACT To Amend Section 12-706, Code Of Laws Of South Carolina, 1952, Relating To The Exemption Of Foreign Corporations From The Provisions Of Chapter 11 Of Title 12 When The Sole Business Of The Corporations Is The Lending Of Money Secured By Mortgages On Real Estate Located Within The State, So As To Specifically Include Insurance Companies.—P. 535.
321. AN ACT To Define The Term "Patrons Of The Water Authority" As Contained In The Act Creating The Belton-Honea Path Water Authority; To Further Provide For Elections For Members Of The Belton-Honea Path Water Authority; To Provide For The Filling Of Vacancies Occurring During The Term Of A Member Of The Authority; And To Authorize And Empower The Municipalities Of Belton And Honea Path And Other Public Bodies And Public Agencies To Contract With The Belton-Honea Path Water Authority.—P. 536.
322. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Chapter 4 To Title 52, So As To Provide For Recordation Of Instruments Creating Business Trusts With The Clerk Of Court In The County Where The Trust Has Its Principal Place Of Business; To Require Filing Of Such Instrument With The Secretary Of State; To Provide For Suits By And Against Business Trusts; To Provide For Liability Of Trustees And Shareholders Therein; And To Provide For Service Of Process On Business Trusts; To Permit Real Estate Transactions And To Provide That Business Trust Shall Not Be Affected By Any Rule Against Perpetuities.—P. 537.
323. AN ACT To Provide Supplemental Appropriations And Regulations For The Fiscal Year 1960-1961, And To Provide As Permanent Measures For The Creation Of An Advisory Committee On Technical Industrial Training, Outline Its Functions And Provide Funds Therefor, And To Authorize The Purchase Of Certain Bonds Of Bushy Park.—P. 539.
324. AN ACT To Create The Laurens County Library.—P. 544.
325. AN ACT To Provide That No Warrant Issued By Any Magistrate In Laurens County Based On A Worthless Check Shall Be Withdrawn Until A Fee Of Two Dollars And Fifty Cents Has Been Paid And To Provide That Such Fee Shall Be Retained By The Magistrate.—P. 547.

326. AN ACT To Amend Section 23-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Candidates Nominated By Petition, So As To Lengthen The Time Limit For Filing A Petition And Requiring The Petition To Be Made Public.—P. 548.
327. AN ACT To Amend Section 59-622, Code Of Laws Of South Carolina, 1952, Relating To The Use Of Loans From The United States Government To Meet The Cost Of Constructing Electric Light, Water Supply, Fire Protection Or Sewerage Systems, So As To Delete An Obsolete Portion.—P. 549.
328. AN ACT To Require Licensing Of Certain Hospitals, Sanitariums, Homes And Institutions Furnishing Care And Treatment To The Mentally Ill Or Mentally Defective, Epileptic, Drug Addicted Or Alcoholic, And To Provide Penalties For Violations Thereof.—P. 550.
329. AN ACT To Authorize The Governing Body Of Any Municipality To Construct Or Permit The Construction Of Certain Motor Vehicle Parking Facilities Which Encroach Upon Or Project Over A Public Sidewalk In Shopping Districts.—P. 553.
330. AN ACT Relating To Gifts Of Securities And Money To Minors And To Repeal Act No. 638, Of The Acts Of 1956, Concerning Gifts Of Securities To Minors.—P. 554.
331. AN ACT To Amend Title 17 Of The Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Be Section 17-458, And Shall Provide For A Change Of Venue In Criminal Cases, As The Provision For Change Of Venue In Criminal Cases Was Omitted In The Publication Of The Code Of Laws Of South Carolina, 1952.—P. 562.
332. AN ACT To Establish The Board Of Rural Fire Control For Lee County, To Provide For Its Powers, Duties And Membership, And To Provide A Penalty For Anyone Interfering With The Members Of The Department In The Discharge Of Their Duties.—P. 563.
333. AN ACT To Amend Article 2, Chapter 5, Of Title 43, Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Provide For The Terms Of Office Of Magistrates In Aiken County And Shall Validate The Terms Of Those Magistrates Serving In Aiken County On The Effective Date Of This Act.—P. 565.
334. AN ACT To Amend Act No. 782 Of The Acts Of 1956, Relating To The School District Of Marlboro County, As Amended By Act No. 644 Of The Acts Of 1960, So As To Require The Preparation Of A Budget For The Next Ensuing School Year And Its Transmission To The General Assembly, And To Prescribe The Conditions Under Which The Annual Tax Levy For Operating The Public School System Of The District Shall Be Made.—P. 566.
335. AN ACT To Provide That The Aldermen Of The City Of Abbeville Shall Be Elected By The Qualified Electors Of The City Of Abbeville At Large.—P. 567.
336. AN ACT To Amend Subsection (3) Of Section 28-881, Code Of Laws Of South Carolina, 1952, Relating To The Catching Of Shad, So As To Eliminate The Necessity Of Procuring A License.—P. 568.
337. AN ACT To Make It A Misdemeanor To Obtain Or Attempt To Obtain, Or Aid And Abet Another To Obtain Or Attempt To Obtain Any Telecommunications Service With Intent To Avoid Payment Of The Lawful Charges Therefor, By Fraudulent Means, Method, Trick, Or Device, And To Provide Penalties.—P. 569.
338. AN ACT To Change The Term Of Office Of The Mayor And Council Of The Town Of Patrick In Chesterfield County From One To Two Years Beginning July 1, 1961.—P. 570.

339. AN ACT To Enact And Adopt The Southern Interstate Nuclear Compact, To Provide For A Member On The Southern Interstate Nuclear Board, And To Make Appropriations Therefor.—P. 570.
340. AN ACT To Amend Section 15-277, Code Of Laws Of South Carolina, 1952, As Amended, Prescribing The Terms Of Court In The Eighth Judicial Circuit, So As To Add An Additional Term Of Court Of Common Pleas And To Provide That All Terms Of The Court Of General Sessions And Of The Court Of Common Pleas For Greenwood County Shall Be For One Week Each.—P. 578.
341. AN ACT To Provide A Better Law Library And Facilities For The Courts Of Dillon County; To Tax Costs In Certain Cases To Defray The Cost Hereof; And To Create A Committee To Carry Out The Provisions Of This Act.—P. 579.
342. AN ACT To Create The Dillon County Airport Commission And To Define Its Powers And Duties.—P. 580.
343. AN ACT To Amend Item (2), Section 1 Of Act No. 711 Of The Acts Of 1952, As Amended, Relating To The Board Of Trustees Of The Centralized School Districts In Dillon County, So As To Provide That The Boards Shall Be Composed Of Five Members.—P. 582.
344. AN ACT Creating Huggins Township In Dillon County.—P. 583.
345. AN ACT To Amend Section 14-1761, Code Of Laws Of South Carolina, 1952, Relating To The Board Of County Commissioners For Dillon County, So As To Increase The Membership.—P. 583.
346. AN ACT To Increase The Number Of Petit Jurors Serving In The Court Of General Sessions For Marlboro County.—P. 584.
347. AN ACT To Amend Article 2, Chapter 5, Of Title 47, Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Be Section 47-376.2, And Shall Provide That Councilmen Of The City Of Cheraw Shall Serve For Terms Of Four Years.—P. 584.
348. AN ACT Authorizing The Town Of Bennettsville In Marlboro County To Levy A Tax Not Exceeding Five Mills For Health And Highway Purposes.—P. 585.
349. AN ACT To Exempt Property Of Moose Lodge No. 1886 In Williamsburg County From County Taxes.—P. 585.
350. AN ACT To Amend An Act Of 1961 Bearing Ratification Number 233 Relating To The Authority Of The Oconee Soil Conservation District So As To Provide For The Exercise Of Power Of Eminent Domain.—P. 586.
351. AN ACT To Amend Section 43-221, Code Of Laws Of South Carolina, 1952, Relating To The Endorsement Of Warrants Issued In One County By Magistrates Of Another County, So As To Provide For The Endorsement And Execution Of Warrants Issued By Municipal Authorities For Persons Who Have Violated Municipal Ordinances Or Laws And Who Cannot Be Arrested Within The Municipal Limits; And To Provide For The Appearance Of Such Persons In Municipal Courts.—P. 587.
352. AN ACT To Amend Act No. 253 Of 1959, As Amended, Relating To The Regulation Of The Ownership And Operation Of Boats And Related Equipment On The Waters Of This State, So As To Further Provide Therefor.—P. 588.
353. AN ACT To Create The Office Of Delinquent Tax Collector For Orangeburg County And To Specify His Duties.—P. 591.
354. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2208, Providing For The Dis-

- position Of Certain Fines Collected In The Circuit Court In Greenwood County.—P. 593.
355. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding Two New Sections To Be Designated As Sections 14-2223 And 14-2225, Making Further Provisions For The Duties Of The Finance Board Of Greenwood County.—P. 594.
356. AN ACT To Amend Act No. 800 Of The Acts Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By Certain Municipalities In Horry County, So As To Include The Town Of Loris Under The Provisions Thereof.—P. 595.
357. AN ACT To Require That Persons Recording Deeds In The Office Of The Register Of Mesne Conveyances In Spartanburg County Shall File Certain Information By Affidavit Along With The Deed And To Provide Penalties Therefor.—P. 595.
358. AN ACT Providing For The Election And Appointment Of The Master Of Greenville County.—P. 596.
359. AN ACT To Amend Sections 14-2061, 14-2062, 14-2067 And 14-2070, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Board Of Commissioners, So As To Increase The Membership Of The Board; To Prescribe The Terms Of The Board Members; To Provide For Their Compensation; To Provide That The Board Shall Act In An Advisory Capacity To School District No. 520; And To Provide That Action By The County Legislative Delegation Relating To The Greenville County Board Of Commissioners Shall Be By A Majority Vote.—P. 598.
360. AN ACT To Create The Richland And Lexington Counties Joint Planning Commission And To Provide For Its Membership, Powers And Duties.—P. 599.
361. AN ACT To Authorize The Clerk Of Court Of Anderson County To Destroy Chattel Mortgages Which Are Over Ten Years Old.—P. 605.
362. AN ACT To Amend Section 15-1703, Code Of Laws Of South Carolina, 1952, Relating To Clerks Of Court Of Common Pleas, So As To Provide That Such Clerks Shall, In Addition To Being Ex Officio Clerks Of The Court Of General Sessions, Be Ex Officio Clerks Of All Other Courts Of Record In Their Respective Counties Unless Otherwise Provided By The Law Establishing Such Other Courts.—P. 605.
363. AN ACT To Repeal Section 33-203, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Across The Ashley River In Charleston County, Since This Has Been Accomplished.—P. 606.
364. AN ACT To Repeal Section 33-204, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Over The Broad River Between Richland And Fairfield Counties, Since This Has Been Accomplished.—P. 606.
365. AN ACT To Repeal Section 33-205, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Across The Congaree River Between Lexington And Richland Counties, Which Has Been Accomplished.—P. 607.
366. AN ACT To Provide For The Termination Of Parental Rights In Regard To Any Child Voluntarily Abandoned By Its Parents For A Period In Excess Of Twelve Months And To Make Special Provision For The Custody Of Such Abandoned Child.—P. 607.
367. AN ACT To Create The State Board Of Registration For Foresters And To Define Its Powers And Duties; To Provide For The Registration And Licensing Of Foresters; To Define The Practice Of Forestry; And To Provide Penalties For Violations Thereof.—P. 608.
368. AN ACT To Amend Section 10-1761, Code Of Laws Of South Carolina, 1952, Relating To Sheriff's Sales Days, So As To Make The Section Applicable To All Judicial Sales.—P. 616.

369. AN ACT To Amend Act No. 52 Of 1955, As Amended, Relating To Visiting Teachers, So As To Change The Designation Of Such Persons From Visiting Teachers To Attendance Supervisors, And To Provide That Attendance Supervisors Shall Be Certified By The State Board Of Education According To Qualification Requirements Determined By The State Board Of Education.—P. 617.
370. AN ACT To Amend Section 6-477, Code Of Laws Of South Carolina, 1952, Authorizing The Livestock And Poultry Health Department Of Clemson Agricultural College To Accept Assistance From The U. S. Government, By Changing "Bureau Of Animal Industry" To "Animal Disease Eradication Division".—P. 620.
371. AN ACT To Repeal Sections 33-191 And 33-192, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Thoroughfare Through Properties Of The South Carolina State Hospital, Since The Thoroughfare Has Been Completed.—P. 621.
372. AN ACT To Amend Section 27-501, Code Of Laws Of South Carolina, 1952, Relating To Fees Charged By The Secretary Of State, So As To Provide A Fee For Filing A Limited Partnership Agreement And To Delete Section 5, Part III, Of Act 644 Of 1954 And Add The Contents Thereof To Section 27-501, Code Of Laws Of South Carolina, 1952.—P. 621.
373. AN ACT To Amend Section 28-966, Code Of Laws Of South Carolina, 1952, Relating To Penalties For Violations Of Certain Commercial Fisheries' Laws, So As To Further Provide For Penalties.—P. 622.
374. AN ACT To Regulate The Use Of Baskets In The Waters Of Catawba-Wateree Lakes And To Provide Penalties For Violations.—P. 623.
375. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Section 65-223.1, So As To Provide For The Taxation Of Real Estate Investment Trusts.—P. 624.
376. AN ACT To Amend Section 6-472, Code Of Laws Of South Carolina, 1952, Providing For Observation Of Tuberculin And Paratuberculin Tests By The Livestock And Poultry Health Department Of The Clemson Agricultural College, By Striking Out The Words "United States Bureau Of Animal Industry" And Inserting In Lieu Thereof The Words "Animal Disease Eradication Division, United States Department Of Agriculture."—P. 625.
377. AN ACT To Authorize The Town Council Of The Town Of Blacksburg In Cherokee County To Abolish The Offices Of Commissioners Of Public Works For The Town Under Certain Conditions And To Devolve The Powers And Duties Of Such Commissioners On The Mayor And Aldermen Of The Town.—P. 626.
378. AN ACT To Provide For The Appointment Of A Beaufort County Committee For Technical Training, And To Set Forth Its Powers And Duties.—P. 627.
379. AN ACT To Amend Act No. 217 Of 1957, Relating To The Planning And Development Board For Marion County, So As To Increase The Membership Of The Board.—P. 629.
380. AN ACT To Increase The Civil Jurisdiction Of Certain Magistrates In Marion County.—P. 629.
381. AN ACT To Amend Act No. 881 Of The Acts Of 1956, Relating To Deeding Of Rights Of Way, Land, Roads, Etc., To Greenville County, Regulating And Marking Of County Vehicles And Regulating The Office Of County Supervisor, So As To Delete Authority Of The Supervisor Relative To Use Of Equipment And Labor For Eleemosynary Institutions, And To Repeal Section 10 Of Act No. 881 Of The Acts Of 1956, Relating To The Supervisor's Authority To Surface Treat Driveways And Walkways In School Districts.—P. 630.

382. AN ACT To Provide For A South Carolina Estate Tax; To Provide Penalties For Violations; And To Repeal Chapters 7 And 8 Of Title 65, Code Of Laws Of South Carolina, 1952, Relating To Inheritance And Estate Tax.—P. 631.
383. AN ACT To Provide For The Election Of The Superintendent Of Education For Oconee County; To Define His Powers And Duties And Term Of Office; To Provide For The School District Of Oconee County, The Election Of School Trustees And To Define Their Powers And Duties; To Provide For Other Matters Relating To Schools In Oconee County; And To Repeal Act No. 322 Of The Acts Of 1953, As Amended, Relating To The School District Of Oconee County And Other Matters Relating To The Schools Of Oconee County.—P. 650.
384. AN ACT To Authorize The Cherokee County Library Board, With The Approval Of The County Legislative Delegation, To Enter Into Contracts And Agreements With Other County Library Boards Of The State And The South Carolina State Library Board For The Benefit And Improvement Of Library Service.—P. 655.
385. AN ACT To Provide For Microphotographing Of Certain Records In Charleston County.—P. 656.
386. AN ACT To Provide That Coastal Municipalities Shall Have Criminal Jurisdiction Over All Piers And Other Structures And Over The Waters Of The Ocean Within One-Half Mile Of Strand Within The Municipal Limits.—P. 657.
387. AN ACT To Provide For The Appointment Of A Spartanburg County Committee For Technical Training.—P. 657.
388. AN ACT To Provide An Additional Voting Place In Greenville County.—P. 659.
389. AN ACT To Amend Section 21-2351, Code Of Laws Of South Carolina, 1952, Relating To The Superintendent Of Education For Dillon County, So As To Provide That The County Board Of Education Shall Not Recommend One Of Its Members For Appointment As Superintendent Of Education.—P. 660.
390. AN ACT To Authorize That Certain Voting Precincts In Lancaster County May Remain Open Until 8 O'Clock, P. M., Under Certain Circumstances.—P. 660.
391. AN ACT To Amend Section 28-885, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Manner Of Fishing For Shad And Sturgeon Within The Three-Mile Limit Out To Sea From The Jetties Of Winyah Bay So As To Delete The Provisions Relating To Fishing For Sturgeon.—P. 661.
392. AN ACT To Amend Section 3-25, Code Of Laws Of South Carolina, 1952, Vesting The Annual Grant From The Hatch Bill Fund In The Board Of Trustees Of The Clemson Agricultural College, So As To Authorize The Trustees To Receive Grants Under The Latest Hatch Act, That Of 1955.—P. 662.
393. AN ACT To Amend Act No. 238 Of The Acts And Joint Resolutions Of The General Assembly Of 1959 Which Provides For The Withholding Of A Portion Of The State Income Tax Allotted The Counties For Public Welfare For The Medical And Hospital Care Of Certain Persons, So As To Increase The Per Capita Allotted From Thirty Cents Per Capita To Fifty Cents Per Capita And To Further Provide For The Necessary Medical Services For Certain Persons Sixty-Five Years Of Age Or Older.—P. 663.
394. AN ACT To Prohibit The Use Of The Watercourse Above The Duke Power Company Wateree Dam In Kershaw County For A Distance Of One Hundred Feet, And To Provide A Penalty For Violations.—P. 663.
395. AN ACT To Ratify An Amendment To Article XVII Of The Constitution Of South Carolina, 1895, So As To Permit The General Assembly To Fill Any Vacancy Of State And Local Government In The Event Of Emergencies Resulting From Disasters Caused By Enemy Attack, And To Perform Such Duties As Are Necessary To Insure The Continuity Of Government Operations.—P. 664.

396. AN ACT Creating The Beaufort County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.—P. 665.
397. AN ACT To Amend Section 14-2254, Code Of Laws Of South Carolina, 1952, Providing For A Clerk And Legal Advisor For The County Commissioners, So As To Further Provide For Their Salaries; To Amend Section 14-2255, Code Of Laws Of South Carolina, 1952, Authorizing The County Commissioners To Employ Physicians For The Poorhouse, Jail And Chain Gang Of The County, So As To Delete Therefrom The Reference To The Poorhouse And Amount To Be Spent For All Medical Services And Medicine; And To Amend Section 14-2259, Code Of Laws Of South Carolina, 1952, Providing Certain Penalties For County Commissioners Or Any Other Officer Of The County Who Violates The Provisions Of Certain Sections Of The Code, So As To Delete Therefrom References To Sections 14-2254 And 14-2255, Code Of Laws Of South Carolina, 1952.—P. 668.
398. AN ACT To Provide That The City Of Barnwell, In Barnwell County, May Clean Up Vacant Lots When The Owner, After Notice, Refuses To Do So, And Assess The Owner For The Expenses Incurred Which Shall Constitute A Lien Upon The Property Involved.—P. 669.
399. AN ACT To Set Salaries To Be Received By The Members Of The Darlington County Commission.—P. 670.
400. AN ACT To Amend Item (b) Of Section 27-77, Code Of Laws Of South Carolina, 1952, Relating To Cherokee County Clerk Of Court Fees For Indexing Chattel Mortgages.—P. 670.
401. AN ACT To Change The Terms Of Office Of The Town Officers Of The Town Of Goose Creek In Berkeley County From One To Two Years.—P. 671.
402. AN ACT To Amend Act No. 885 Of The Acts Of 1958, Relating To The Requirement Of Permits For Building Construction Or Improvement Within The Hanahan Public Service District In Berkeley County, So As To Provide That Such Permits Shall Be Issued By The Hanahan Public Service Commission Rather Than By The Magistrates Within The District.—P. 671.
403. AN ACT To Amend Act 788 Of 1952, As Amended, Relating To Cooperative Credit Unions, So As To Provide That They May Borrow From Savings And Loan Associations And Building And Loan Associations, And To Provide That Capital And Surplus Funds Of Credit Unions May Be Deposited In Savings And Loan Associations Or Building And Loan Associations.—P. 673.
404. AN ACT To Amend Section 3 Of Act No. 790 Of The Acts Of 1956 Relating To The Board Of Fire Control Of Sumter County So As To Authorize A Change In The Tax Levy Imposed To Pay Notes Previously Issued By The Board.—P. 675.
405. AN ACT To Create The Horry County Rescue Squad At Conway, The Myrtle Beach, The Loris, The Crescent Beach And The Garden City Rescue Squads In Horry County; And To Provide Penalties For Persons Interfering With The Duties Of The Squads.—P. 675.
406. AN ACT To Amend Sections 14-3301, 14-3302, As Amended, 14-3303, 14-3305, 14-3306, 14-3307, 14-3308, 14-3343, 14-3351 And 14-3353, Code Of Laws Of South Carolina, 1952; To Add To The Code Of Laws Of South Carolina, 1952, Sections 14-3304, 14-3314 Through 14-3320, 14-3344 Through 14-3344.11 And 14-3363, Relating To The Governing Body, Salaries And Special Auditor For Spartanburg County, So As To Further Provide Therefor And To Provide A Uniform Purchasing Plan For Spartanburg County; And To Repeal Sections 14-3309, 14-3310 And 14-3321 Through 14-3327, Code Of Laws Of South Carolina, 1952 And Act No. 346 Of 1955, Relating To The Supervisor Of Spartanburg County And Purchases By The County.—P. 677.

407. AN ACT To Authorize The Town Of Liberty, In Pickens County, To Contract To Furnish Electric Current, Water Or Sewage Service To Any Person Within Or Without The Town For A Period Not To Exceed Fifty Years.—689.
408. AN ACT To Authorize The Spartanburg County Library Board, With The Approval Of The County Legislative Delegation, To Enter Into Contracts And Agreements With Other County Library Boards Of The State And The South Carolina State Library Board For The Benefit And Improvement Of Library Service.—P. 690.
409. AN ACT To Amend Act No. 330 Of The Acts Of 1957, Relating To The Compensation Of The Judge Of The Civil Court Of Florence, So As To Increase The Compensation.—P. 690.
410. AN ACT To Amend Section 47-407, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Imposition Of A Business Or Professional License In Municipalities Of A Certain Class, So As To Raise The Population Classification From Sixty-Five Thousand To Seventy Thousand.—P. 691.
411. AN ACT To Authorize The Clerk Of Court Of Allendale County To Remove Or Destroy Certain Chattel Mortgages.—P. 692.
412. AN ACT Providing For The Terms Of Office Of The Mayor And Town Councilmen Of The Town Of Blenheim In Marlboro County.—P. 692.
413. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2209, Providing For The Fees Of The Clerk Of Court And The Judge Of Probate Of Greenwood County For The Typing And Recording Of Certain Documents.—P. 693.
414. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated Section 14-2224, Designating The Clerk Of The Finance Board Of Greenwood County As Purchasing Agent For The County And To Amend Section 14-2241, Code Of Laws Of South Carolina, 1952, As Enacted By Act No. 849 Of The Acts Of 1960, Providing For Purchasing By Greenwood County, So As To Make Further Provision Therefor.—P. 694.
415. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2207, So As To Limit The Use Made Of Equipment And Labor Owned By Or Under The Control Of Greenwood County.—P. 696.
416. AN ACT To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2210, So As To Provide That All Regular Meetings Of Boards And Commissions Of Greenwood County, With Certain Exceptions, Shall Be Publicized And Open To The Public.—P. 697.
417. AN ACT To Repeal Article 5, Chapter 11, Title 55, Code Of Laws Of South Carolina, 1952, Establishing A County Detention Home For Children In Spartanburg County.—P. 697.
418. AN ACT To Provide That Only Six Men Need Be Summoned For Each Coroner's Jury In Spartanburg County.—P. 698.
419. AN ACT To Authorize The Clerk Of Court Of Sumter County To Destroy Chattel Mortgages Which Are Over Six Years Old.—P. 698.
420. AN ACT To Amend Act No. 244 Of The Acts And Joint Resolutions Of 1959, Abolishing The Board Of Education Of Saluda County, Devolving Its Duties Upon A Board Of Trustees, Dividing The County Into Voting Areas, And Providing For Advisory Elections, So As To Extend The Terms Of Office Of The Trustees So That They May Be Elected In The Primaries Instead Of Holding Special Elections.—P. 699.

421. AN ACT To Require The Filing With The Auditor Of Spartanburg County A Building Permit Before Any Person Constructs Or Makes Additions To Certain Buildings, And To Provide A Penalty For Violations.—P. 700.
422. AN ACT To Repeal Sections 33-1261, 33-1262, 33-1871 Through 33-1874, 55-462 And 71-309, Code Of Laws Of South Carolina, 1952, Relating To Elections For Township Tax For Roads, Levy And Collection Of Such Tax, The Disbursement Of The Proceeds, The Supervisor's Authority Over Highways And Roads, The Number Of Chain Gang Camps, And The Operation And Use Of The Home And County Farm, Respectively, All In Spartanburg County.—P. 701.
423. AN ACT To Provide That Certain Property May Be Added To A Water And Sewer District In Spartanburg County Upon Petition By The Property Owner And Approval By The Commission Of The District.—P. 701.
424. AN ACT To Amend Act No. 782 Of The Acts Of 1956, As Amended, Relating To The Educational System For Marlboro County, So As To Change The Mode Of Appointment Of The Members Of The Marlboro Board Of Education And The Boards Of Trustees Of The Administrative School Areas In Marlboro County And To Abolish The Present Boards Of Trustees Of The Administrative School Areas In Marlboro County.—P. 702.
425. AN ACT To Amend Sections 5 And 7 Of Act No. 446 Of The Acts Of 1957, Requiring County Officers To Issue Certain Receipts And The Liability Of Officers Failing To Collect Certain Fees, So As To Provide For The Issuing Of Receipts For Fines And Licenses And To Make Officers Liable For Failing To Collect The Same.—P. 704.
426. AN ACT To Provide For The Care And Maintenance Of The Pickens County Courthouse And All Other Public Buildings Under The Supervision Of The Governing Board Of Pickens County And To Provide Penalties For The Abuse Of These Buildings.—P. 705.
427. AN ACT To Amend Section 14-2170, Code Of Laws Of South Carolina, 1952, Relating To The County Bookkeeper Of Greenville County, So As To Redesignate The Bookkeeper As The Comptroller; To Repeal Section 14-2056 Of The Code, Requiring The Supervisor Of Greenville County To Publish Certain Statements Quarterly; To Repeal Sections 14-2111 Through 14-2117 Of The Code, Relating To Purchases By Greenville County; To Repeal Section 14-2121 Of The Code, Requiring The Supervisor Of Greenville County To Show On Warrants The Fund From Which The Same Is Drawn; And To Repeal Section 14-2175 Of The Code, Requiring The Treasurer Of Greenville County To File Certain Quarterly Statements With The Supervisor.—P. 707.
428. AN ACT To Exempt Certain Property Owned By The Crippled Children's Society Of Charleston County From County And Municipal Taxes.—P. 708.
429. AN ACT To Provide For The Use Of Certain Vehicles Confiscated By The Sheriff Of Spartanburg County.—P. 709.
430. AN ACT To Amend Section 1 Of Act No. 11 Of The Acts Of 1957, Relating To The Jasper County Board Of Education, So As To Change The Composition Of The Board; To Provide The Areas From Which Its Members Shall Be Appointed; To Provide That The Superintendent Of Education Shall Be Secretary To The Board; And To Provide For The Terms Of The Members Of The Board.—P. 710.
431. AN ACT To Amend Act No. 185 Of The Acts Of 1957, Relating To The Colleton County Development Board, So As To Further Provide For The Powers And Duties Of The Board.—P. 710.
432. AN ACT To Amend Item (7) Of Section 21-1807, Code Of Laws Of South Carolina, 1952, Relating To The Powers Of The Board Of Trustees Of The School District Of Chester County, So As To Provide For Pledges By The School District

For The Repayment Of Short Term Notes In Anticipation Of Taxes And State Aid Funds.—P. 711.

433. AN ACT To Amend Item (5) Of Section 65-1522, Code Of Laws Of South Carolina, 1952, Relating To Exemptions From Taxes Of Certain Societies In Certain Counties, So As To Delete Therefrom Chester County And To Amend Section 65-1522, As Amended, Relating To General Exemptions From Taxes, So As To Add A New Item Providing For The Exemption From County, Municipal And School District Taxes Of Property Owned By Certain Corporations Or Societies In Chester County.—P. 712.
434. AN ACT To Establish Boards Of Rural Fire Control For The Following Areas In Berkeley County: The Cross Area, The Macedonia Area And An Area Outside The Town Of Jamestown; To Provide Their Powers, Duties And Membership And To Provide Penalties.—P. 713.
435. AN ACT To Establish A Tax Board Of Appeals For Williamsburg County.—P. 715.
436. AN ACT To Require The Obtaining Of Permits Before Improvements Are Made To Certain Real Estate In Counties Containing A Municipality With A Population Of Over Ninety-Seven Thousand According To The Latest United States Census; To Provide For The Appointment Of A Building Inspector In Such Counties; To Establish Certain Liens; To Provide Penalties For Violations And To Repeal Act 422 Of 1957, Relating To Prohibition Against Making Improvements To Certain Real Estate In Certain Counties Without A Permit.—P. 716.

Part II. Local and Temporary

437. A JOINT RESOLUTION Proposing An Amendment To Section 17 Of Article I Of The Constitution Of This State, Relating, Among Other Things, To Presentments Of Grand Juries, So As To Provide That No Person Shall Be Held To Answer For Any Criminal Offense Where The Punishment Exceeds A Fine Of Two Hundred Dollars Or Imprisonment For Thirty Days, With Or Without Hard Labor, Unless On A Presentment Or Indictment Of A Grand Jury Of The County Where The Crime Shall Have Been Committed, Except In Certain Cases.—P. 719.
438. A JOINT RESOLUTION Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Florence School District No. 5 Of Florence County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.—P. 720.
439. A JOINT RESOLUTION Directing The South Carolina Tax Commission To Adjust The Formula Used To Assess Merchants' Inventories And Merchants' Equipment, Furniture And Fixtures, So That The Resulting Assessment Will Be Reduced To Twelve Per Cent Over A Period Of Three Years; And Directing The Tax Commission To Fix Each Year The Value Of Inventories Of Persons Having Goods Or Wares For Sale At Retail Or Wholesale.—P. 721.
440. A JOINT RESOLUTION Directing The South Carolina Wildlife Resources Department To Enter Into A Reciprocal Agreement, If Possible, With The North Carolina Wildlife Resources Department So As To Permit Residents Of Bordering Counties Of The Two States To Hunt Foxes Without Procuring A License From The Neighboring State If Duly Licensed To Hunt In The State Of His Residence.—P. 722.
441. A JOINT RESOLUTION To Change The 1961-1962 Hunting Season For Squirrels In Game Zone 3 From September First Through March First To October First Through February Fifteenth.—P. 723.
442. AN ACT To Appropriate Not Exceeding Four Hundred Thousand Dollars Out Of Certain Funds Made Available Under The Employment Security Administrative

- Financing Act Of 1954, For The Purpose Of Acquisition Of Land And The Construction Of Office Buildings Thereon For The Use Of The South Carolina Employment Security Commission.—P. 723.
443. A JOINT RESOLUTION To Amend Section 2 Of Joint Resolution No. 893 Of 1960 Relating To The Reporting Date Of The Committee Created To Investigate Loan Agencies In South Carolina, So As To Extend The Reporting Date.—P. 726.
444. A JOINT RESOLUTION To Continue The Committee Created By Act No. 896 Of The Acts Of 1960 To Cooperate With The Water Pollution Control Authority Of South Carolina In Establishing A Water Policy For The State And To Provide For Its Compensation.—P. 726.
445. A JOINT RESOLUTION To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Act No. 931 Of 1956, Act No. 452 Of 1957, Act No. 986 Of 1958, Act No. 328 Of 1959, And Act No. 895 Of 1960, To Study The Forestry Problems In The State.—P. 727.
446. AN ACT To Authorize The Secretary Of State To Restore The Charter Of The T & C Motor Court.—P. 728.
447. AN ACT To Authorize The Secretary Of State To Grant A Special Charter Or To Reinstate The Forfeited Charter Of Swan Corporation And Of Greentop Farms, Inc.—P. 729.
448. AN ACT To Authorize The Secretary Of State To Restore The Charter Of The Garner Construction Company.—P. 730.
449. AN ACT To Authorize The Secretary Of State To Restore The Charter Of The Grand Strand Broadcasting Corporation Of Myrtle Beach, South Carolina.—P. 730.
450. AN ACT To Authorize The Secretary Of State To Restore The Charter Of The Orange Investment Company, Inc., Of Orangeburg, South Carolina.—P. 731.
451. AN ACT To Authorize The Secretary Of State To Restore The Charter Of The Reedul Investments, Inc.—P. 732.
452. AN ACT To Empower The Board Of Trustees Of The Medical College Of South Carolina To Sell And Convey Lands In Colleton County Devised To It By The Late Mary DeBow Rich And To Invest The Proceeds From Such Sales Upon The Trust Upon Which The Properties Were Devised.—P. 733.
453. AN ACT To Empower The Board Of Trustees Of The Medical College Of South Carolina To Convey To The United States Of America Without Monetary Consideration All Or Any Part Of The Tract Of Marsh Or Low Land Owned By The College. Lying Eastward Of Lockwood Boulevard In The City Of Charleston, And To Prescribe The Conditions Under Which The Conveyance May Be Made.—P. 734.
454. AN ACT To Repeal Act No. 321 Of The Acts Of 1959, Empowering The Board Of Trustees Of The Medical College Of South Carolina To Construct A Laboratory And Quarters For Animals On Land Belonging To The Medical College Situate On James Island.—P. 735.
455. AN ACT To Authorize Additional Facilities At The South Carolina State Hospital And Whitten Village; To Authorize The Issuance Of Notes Of The State Of South Carolina In The Aggregate Principal Amount Of Six Million Five Hundred Thousand Dollars For Such Purposes; To Prescribe The Conditions Under Which The Notes May Be Issued; And To Make Provision For The Payment Thereof.—P. 736.

456. AN ACT To Authorize The Board Of Trustees Of The Clemson Agricultural College Of South Carolina To Acquire Additional Student And Faculty Housing Facilities; To Empower The Board Of Trustees To Effect Loans For Such Purposes, Through The Issuance Of Revenue Bonds And Also For The Purpose Of Refunding Outstanding Bonds Payable From The Revenues Derived From Student And Faculty Housing Facilities, Through The Means Of The Authorizations Of This Act; To Define The Procedure By Which Such Loans May Be Effected And The Covenants And Undertakings To Secure The Loans; To Make Provision For The Payment Of Loans; And To Declare Valid Certain Bonds Heretofore Issued For Any Of Such Purposes.—P. 741.
457. AN ACT To Transfer To The University Of South Carolina Certain Portions Of Devine, Marion And Bull Streets In The City Of Columbia And To Close The Portions Of Devine, Marion And Bull Streets So Transferred For Use Of The Public As Public Streets Or Highways.—P. 750.
458. AN ACT Authorizing The State Budget And Control Board To Accept A Deed To Certain Property In Calhoun County Now Known As Camp Harry Daniels.—P. 751.
459. AN ACT To Authorize The Adjutant General To Reconvey In The Name Of The State Of South Carolina A Certain Tract Of Land Conveyed As A Site For The National Guard Armory In Great Falls, South Carolina.—P. 752.
460. AN ACT To Authorize The State Budget And Control Board To Sell Certain Property Situate In Both Aiken And Edgefield Counties And To Prescribe How The Sale Shall Take Place.—P. 752.
461. AN ACT To Authorize The Transfer Of Ten Thousand Dollars From The General Fund Of Abbeville County To The Contingent Fund Of The County.—P. 753.
462. AN ACT To Authorize The Closing Of A Certain Road In Abbeville County.—P. 754.
463. AN ACT To Authorize The Closing Of Certain Roads And Removal From The State Highway System In Abbeville County.—P. 754.
464. AN ACT To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.—P. 755.
465. AN ACT To Authorize The Langley Water And Sewer District Of Aiken County To Borrow Not Exceeding Sixty-Five Hundred Dollars For The Purpose Of Capital Improvements For The District, And To Provide For The Payment Thereof.—P. 767.
466. AN ACT Directing The South Carolina State Highway Department To Remove A Certain Road In Aiken County From Its System And Closing The Road To Public Use.—P. 768.
467. AN ACT To Authorize The Aiken County Commission For Higher Education To Borrow A Sum Not Exceeding Fifty-Five Thousand Dollars For The Purpose Of The Aiken County Extension Center Of The University Of South Carolina And To Provide For Payment Thereof.—P. 768.
468. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof.—P. 769.
469. AN ACT To Authorize The Board Of Directors Of The Allendale County Hospital And The Treasurer Of The County To Borrow Not Exceeding One Hundred

- Thousand Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.—P. 786.
470. AN ACT To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, And Ending June 30, 1962; To Provide For The Expenditure Thereof; To Provide For The Amount Of Fees And Expenses To Be Allowed For County Offices; To Provide For The Fees To Be Charged By The Clerk Of Court; And To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Lands And Delinquent Tax Executions.—P. 787.
 471. AN ACT Providing For The Creation Of Watershed Conservation Districts In Anderson County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 795.
 472. AN ACT To Declare That The Condition Precedent Imposed By Act No. 927 Of The Acts Of 1960, Relating To The Holding Of An Election In School District No. 2 Of Anderson County, Has Been Satisfactorily Met, To Confirm The Authorization For The Issuance Of Bonds By The School District Pursuant To Act No. 927 Of 1960, And To Modify The Maturity And Redemption Requirements Of Bonds To Be Issued Pursuant To The Act.—P. 805.
 473. AN ACT To Authorize The Treasurer Of Anderson County To Transfer Two Hundred Fifty Thousand Dollars From The Road Bond Retirement Account To The General Fund Of The County; To Authorize The County Treasurer To Make Two Hundred Fifty Thousand Dollars Immediately Available To The Supervisor And Board Of Commissioners Of Anderson County To Be Used For Road Improvement And Purchase Of Equipment And To Provide For The Repayment Of This Advance.—P. 807.
 474. AN ACT To Make Appropriation For The Operating Expenses Of Anderson County For The Fiscal Year 1961-1962; And To Provide For The Expenditure Thereof.—P. 808.
 475. AN ACT To Change The Name Of The Town Of Denmark In Bamberg County To The City Of Denmark.—P. 822.
 476. AN ACT To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions During The Fiscal Year 1960-1961; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.—P. 823.
 477. AN ACT To Authorize Barnwell County To Convey Certain Real Estate To The Division Of Game Of The South Carolina Wildlife Resources Department.—P. 833.
 478. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.—P. 836.
 479. AN ACT To Authorize The County Building Commission Of Beaufort County To Construct And Equip An Addition To The Beaufort County Jail, And To Finance The Same By The Issuance Of Not Exceeding One Hundred Thousand

Dollars Of General Obligation Bonds Of Beaufort County; To Prescribe The Conditions Under Which Said Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.—P. 848.

480. AN ACT To Authorize The Board Of Directors Of Beaufort County To Issue General Obligation Bonds Of Beaufort County In The Sum Of Three Hundred And Fifty Thousand Dollars For The Purpose Of Raising Moneys To Be Used In The Construction And Improvement Of Streets And Roads In Beaufort County, Eligible For Improvement Under The Farm-To-Market Program; To Provide That The Work Done In The Construction And Improvement Shall Be Done By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The County Board And The State Highway Department; To Prescribe The Conditions Under Which The Bonds Are To Be Issued And The Reimbursement Contract May Be Made; To Provide For The Payment Of The Bonds; And To Make Provision For The Reimbursement Of Beaufort County For Special Benefits To Accrue To Political Units Of The County By Reason Of The Program Authorized By This Act.—P. 852.
481. AN ACT To Create Forest Beach Public Service District On Hilton Head Island In Beaufort County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Of Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment, And To Repeal Act No. 951 Of The Acts Of 1960, Relating To The Forest Beach District And Commission.—P. 858.
482. AN ACT To Authorize The Beaufort County Board Of Directors To Convey Certain Lands To The State For National Guard Purposes.—P. 867.
483. AN ACT To Authorize The Adjutant General To Convey To Beaufort County A Certain Parcel Of Land, With The Improvements Thereon.—P. 868.
484. AN ACT To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1961-1962, And Direct The Expenditure Thereof In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.—P. 869.
485. AN ACT To Declare The Commissioners Of Hanahan Public Service District In Berkeley County Duly Elected.—P. 882.
486. AN ACT Authorizing The Closing Of Certain Roads In Berkeley County.—P. 883.
487. AN ACT To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1961; To Direct The Expenditures For General County Purposes; To Exempt Craver Industries, Inc., From Certain Taxes; To Provide For Certain Loans; And Relating To The Administration Of The Business Of Berkeley County.—P. 884.
488. AN ACT To Make Supplemental Appropriations For The Fiscal Year 1960-1961 From The General Fund Of Calhoun County.—P. 893.
489. AN ACT To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1961-1962, And For The Expenditure Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.—P. 894.
490. AN ACT To Authorize And Empower The Board Of Trustees Of School District No. 20 Of Charleston County To Issue General Obligation Bonds Of The

- District In An Amount Not To Exceed One Million Seven Hundred And Fifty Thousand Dollars Within The Applicable Constitutional Debt Limit Of The District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.—P. 901.
491. AN ACT To Validate And Confirm An Issue Of One Million Dollars City Of Charleston Municipal Yacht Basin Revenue Bonds (Additionally Secured), Including The Covenants And Undertakings Made By The City Council Of Charleston In Connection Therewith, Including Those Relating To A Pledge Made By The City Council Of Moneys Derived From Business License Taxes.—P. 905.
492. AN ACT To Authorize The County Council Of Charleston County To Issue And Sell Not Exceeding One Million Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Conditions Under Which The Bonds May Be Sold, The Conditions Under Which Their Proceeds Shall Be Expended; And To Make Provision For The Payment Of The Bonds.—P. 907.
493. AN ACT To Authorize The State Board Of Health To Continue The Employment Of Dr. Leon Banov As Health Officer, Or In An Associate Capacity, For Charleston County.—P. 911.
494. AN ACT To Empower The Board Of Township Commissioners Of Folly Island, In Charleston County, To Borrow Not Exceeding Fifteen Thousand Dollars To Obtain Funds To Pay The Cost Of Purchasing Fire Engines And Equipment, Garbage Trucks, Police Vehicles, Ambulances And To Make Provision For The Payment Thereof.—P. 912.
495. AN ACT To Make Disposition Of The Properties And Liabilities Of Those Special Purpose Districts In Charleston County Wherein Were Situate Certain Areas In St. Andrew's Parish Annexed To The City Of Charleston By Reason Of The Special Election Held November 8, 1960, And To Provide For The Assumption Of Certain Contractual Obligations Of The Closed Sewer Systems In Lenear And Sandhurst Subdivisions.—P. 913.
496. AN ACE To Amend Section 2 Of Act No. 442 Of 1949, As Amended, Relating To The Ashley Garbage Disposal District In Charleston County, So As To Redefine The Territories And Areas Which Comprise The District.—P. 916.
497. AN ACT To Amend Section 2 Of Act No. 443 Of 1949, As Amended, Relating To The St. Andrew's Public Service District In Charleston County, So As To Redefine The Territory And Areas In The District.—P. 917.
498. AN ACT To Create The James Island Public Service District In Charleston County And To Provide That Bonds Of Such District May Be Issued In An Amount Not To Exceed One Hundred Thousand Dollars And To Provide For The Payment Of The Bonds.—P. 917.
499. AN ACT To Authorize The Board Of Trustees Of School District No. 10 Of Charleston County To Issue Not Exceeding One Hundred Thirty Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Of Building A Gymnasium And Improving The Athletic Field At Wallace High School, And To Make Provisions For The Payment Of The Bonds.—P. 925.
500. AN ACT To Authorize And Empower The City Council Of Charleston To Close Portions Of Hampstead Street In The City Of Charleston And To Transfer And Convey The Same Together With An Adjoining Portion Of Hampstead Mall To School District No. 20 Of Charleston County, The State Of South Carolina.—P. 928.
501. AN ACT To Close And Abolish A Portion Of Brick House Road In Charleston County.—P. 929.

502. AN ACT To Amend Act No. 443 Of 1949, As Amended, Relating To The St. Andrew's Public Service District In Charleston County So As To Further Provide For The Members Of The Commission Thereof.—P. 930.
503. AN ACT To Amend Act 555 Of 1944, Relating To The Ashley Fire Protection District In Charleston County, So As To Redefine The Territory Included In The District And To Transfer Assets Of The District To The James Island Public Service District.—P. 931.
504. AN ACT To Provide For The Disposition Of The Assets Of The Ashley Garbage Disposal District In Charleston County And To Repeal Act No. 442 Of The Acts And Joint Resolutions Of 1949 Relating To The Creation Of Such District.—P. 932.
505. AN ACT To Authorize And Direct The Treasurer Of Cherokee County To Advance Certain Sums From The General Fund Of The County For Improvements To Blacksburg And Gaffney High Schools, To Provide For The Payment Thereof, And To Repeal Section 23 Of Act No. 373 Of 1959 And Section 23 Of Act No. 976 Of 1960, Relating To The Borrowing Of Certain Funds From The Division Of Sinking Funds And Property Of South Carolina.—P. 933.
506. AN ACT Appropriating Funds For Providing Additional Facilities At The Cherokee County Hospital.—P. 935.
507. AN ACT To Provide For The Levying Of Taxes For School And County Purposes For The Year, 1961; To Direct The Expenditure Thereof; To Otherwise Provide For The Administration Of The Business Of Cherokee County; To Provide For The Operation Of The Affairs Of The County For The Months Of January, February And March, 1962, Etc.—P. 935.
508. AN ACT To Authorize The Chester County Hospital Board And The Treasurer Of Chester County To Borrow Not Exceeding Two Hundred Fifty Thousand Dollars For General Hospital Purposes And To Provide For The Payment Of The Loan.—P. 948.
509. AN ACT To Amend Item 2 Of Section 3 Of Act No. 365 Of 1947, Relating To The Chester County Hospital Board, So As To Provide That A Permanent Accounts Receivable Ledger Shall Be Kept To Provide For The Accounting Of Bad Debts And To Delete The Provision Requiring An Annual Audit.—P. 949.
510. AN ACT To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, To Direct The Expenditure Thereof, And Relating To Other Matters In The County.—P. 950.
511. AN ACT To Authorize The Board Of Trustees Of School District No. 2 Of Chesterfield County To Borrow Not Exceeding One Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 961.
512. AN ACT To Authorize The Chesterfield County Memorial Hospital Board To Borrow One Hundred Twelve Thousand Five Hundred Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.—P. 962.
513. AN ACT To Create The Hill's Creek Watershed Conservation District In Chesterfield County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.—P. 963.
514. AN ACT To Authorize The Governing Body Of Chesterfield County To Receive Title To, And Easements, And To Assume Full Responsibility For The Upkeep And Maintenance Of The Sewage System Of The Windsor Park Subdivision In Chesterfield County, And To Charge A Reasonable Amount For Services Rendered

- And To Provide That Deeds To Lots Within The Subdivision Shall Contain Notice That The Grantee Shall Be Taxed For The Maintenance And Upkeep Of The System And To Provide That Contracts Shall Be Entered Into Whereby Persons Who Have Already Received Conveyances Of Lots Shall Agree To Pay Such Charges.—P. 972.
515. AN ACT To Make Supplemental Appropriation For Chesterfield County For The Fiscal Year 1960-1961.—P. 973.
 516. AN ACT To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.—P. 974.
 517. AN ACT To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1961; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1962; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1961 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof; And To Provide For The Borrowing Of Money For The Clarendon Memorial Hospital.—P. 985.
 518. AN ACT To Authorize The Colleton County Board Of Commissioners And The Treasurer Of Colleton County To Borrow Thirty Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.—P. 988.
 519. AN ACT To Authorize The Colleton County Development Board To Lease Certain Lands.—P. 989.
 520. AN ACT To Authorize The Treasurer Of Colleton County To Borrow Not Exceeding Sixty Thousand Dollars To Be Used For County Purposes And To Provide For The Payment Of The Loan.—P. 989.
 521. AN ACT To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1961, And The Expenditure Thereof During The Fiscal Year July 1, 1961 To June 30, 1962, And Pertaining To The Fiscal Affairs Of The County.—P. 990.
 522. AN ACT To appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1961-62; For The Expenditure Thereof; And To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein.—P. 1001.
 523. AN ACT To Amend Act No. 392 Of The Acts Of 1959, Relating To Borrowing By The School District Of Darlington County, So As To Further Prescribe The Conditions Under Which The Borrowing May Be Effected; And To Provide That A Sufficient Tax Levy Shall Be Made To Effect The Payment Of The Principal And Interest To Become Due On All Borrowings Effected Pursuant To Such Act.—P. 1002.
 524. AN ACT To Authorize The County Commission Of Darlington County To Acquire Additional Office Facilities For County And Public Officers In Darlington County, And To Finance The Same By The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of Darlington County; To Prescribe The Conditions Under Which Such Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.—P. 1004.
 525. AN ACT To Authorize The State Highway Department To Construct A Certain Road In Dillon County And To Add The New Road To The State Highway System And To Provide For The Payment Thereof.—P. 1007.

526. AN ACT To Authorize And Direct The Dillon County Fish, Forestry, Game And Recreation Commission To Study The Feasibility Of Constructing A Lake Along Little Pee Dee River Near Dillon In Dillon County.—P. 1008.
527. AN ACT To Authorize The Board Of Trustees Of School District No. 2, Dillon County, And The Treasurer Of The County To Borrow Not Exceeding Three Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 1009.
528. AN ACT To Provide For The Election Of A Member To The Dillon County Board Of Commissioners.—P. 1010.
529. AN ACT To Make Supplemental Appropriations For The Fiscal Year 1960-1961 From The General Fund Of Dillon County.—P. 1010.
530. AN ACT To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.—P. 1011.
531. AN ACT To Provide For The Appointment And Terms Of Office Of The Members Of The Dorchester County Forestry Board.—P. 1023.
532. AN ACT To Amend Act No. 341 Of The Acts Of 1937, Relating To The Management Of The Dorchester County Hospital, So As To Increase The Membership Of The Board Of Directors And Define Their Terms Of Office.—P. 1024.
533. AN ACT To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.—P. 1025.
534. AN ACT To Authorize The County Board Of Directors Of Dorchester County To Remodel The Existing County Courthouse Into A County Office Building, Add Thereto, If Necessary, And To Construct A New Courthouse Building, And To Finance The Same By The Issuance Of Not Exceeding Three Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Dorchester County; To Prescribe The Conditions Under Which The Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.—P. 1035.
535. AN ACT To Authorize The Board Of Trustees Of School District No. 1 Of Dorchester County To Issue Not Exceeding Ninety-Five Thousand Dollars Of General Obligation Bonds Of The School District For School Improvement Purposes; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended; And To Make Provision For The Payment Of Such Bonds.—P. 1039.
536. AN ACT To Authorize The Board Of Trustees Of School District No. 2 Of Dorchester County And The Treasurer Of The County To Borrow Not Exceeding Forty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 1041.
537. AN ACT To Create The Beaverdam Creek Watershed Conservation District In Edgefield County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.—P. 1043.
538. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1961; To Provide For The Expenditure Thereof; And To Provide Tax Exemptions For Certain Manufacturing Establishments In Edgefield County.—P. 1052.

539. AN ACT To Appropriate The Sum Of Two Thousand Dollars From The General Fund Of Fairfield County For Use In Establishing A County Civil Defense Organization.—P. 1058.
540. AN ACT To Authorize A Transfer Of Not Exceeding Forty Thousand Dollars From The Insurance Fund To The General Fund Of Fairfield County When Authorized In Writing By The Legislative Delegation.—P. 1059.
541. AN ACT To Authorize The Board Of Education And The Treasurer Of Fairfield County To Borrow Sixty-Five Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.—P. 1059.
542. AN ACT To Authorize The Fairfield County Board Of Education To Convey The Mt. Zion Elementary School Building To Fairfield County To Be Used As A County Office Building.—P. 1061.
543. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Chain Gang For Fairfield County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And For The Expenditure Thereof.—P. 1061.
544. AN ACT To Authorize The Trustees Of Timmonsville School District No. 4 Of Florence County To Issue And Sell Bonds Of The District In An Amount Not To Exceed The Eight Per Cent Constitutional Limitation Imposed On The District To Be Used For School Purposes, And To Provide For The Levy And Collection Of A Tax For The Payment Thereof.—P. 1073.
545. AN ACT To Appropriate The Sum Of Seventy-Two Thousand Nine Hundred Twenty-Four Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1961-1962; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses, And To Prohibit Expenditures In Excess Of Such Budgets.—P. 1075.
546. AN ACT To Repeal Section 15 Of Act No. 769 Of The Acts Of 1920, Relating To Elections On Taxes For Library Purposes In Florence County.—P. 1077.
547. AN ACT To Authorize The Board Of Trustees Of School District No. 4 Of Florence County And The Treasurer Of The County To Borrow Eighty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 1077.
548. AN ACT To Authorize The Formation Of The Coward Watershed Conservation District In Florence County And To Repeal Act No. 418 Of 1929 Ratifying And Confirming The Proceedings Had In The Formation And Creation Of Coward Drainage District In Florence County.—P. 1078.
549. AN ACT To Amend Act No. 1007 Of The Acts Of 1960 Creating The Lynches Lake-Camp Branch Watershed Conservation District In Florence County, So As To Further Define The Area Embraced In The District.—P. 1079.
550. AN ACT To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; And To Levy A Tax For The Payment Thereof.—P. 1080.
551. AN ACT To Amend Act No. 1017 Of 1960, Relating To The Holding Of An Election By The Pawley's Island Civic Association, So As To Change The Dates For Such Election.—P. 1090.
552. AN ACT To Authorize And Empower The County Board Of Education Of Georgetown County To Issue Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds Of Georgetown County; To Prescribe The Terms And Conditions Under Which Such Bonds May Be Issued And To Make Provision For The Payment Thereof.—P. 1091.

553. AN ACT To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1961, Through June 30, 1962, And For The Expenditure Thereof And To Restrict Use Of Certain Fishing Equipment On Pawley's Island, And To Set Limit Of Certain Waters In The County, And Other Fiscal Affairs Of The County.—P. 1094.
554. AN ACT To Transfer A Certain Tract Of Land In Greenville County From Gantt Water And Sewer District To Parker Water And Sewer Subdistrict Of The Greater Greenville Sewer District And To Direct The Owners Of Such Land To Pay A Certain Sum Of Money To The Treasurer Of Greenville County.—P. 1099.
555. AN ACT To Make Provision For Further Public Hospital Facilities In A Section Of Greenville County Through The Creation Of The Mauldin-Simpsonville-Fountain Inn Hospital District; To Provide A Governing Commission For Such District; To Prescribe The Powers Of The Commission; To Authorize The District To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds, Whose Proceeds Shall Be Used In The Acquisition And Construction Of A Public Hospital In The District; To Make Provision For The Payment Thereof; And To Empower The Governing Commission To Contract With The Greenville General Hospital Board Of Trustees For The Operation Of The District's Hospital.—P. 1101.
556. AN ACT To Amend Act No. 230 Of The Acts Of 1951, As Amended, Relating To The Commission Of Sanitation Of The Greater Greenville Sewer District, So As To Provide For The Addition Of The Gantt Water And Sewer District To The Area Served By The Commission.—P. 1107.
557. AN ACT To Amend Act No. 855 Of The Acts Of 1954 Creating The Gantt Water And Sewer District In Greenville County, So As To Allow The District To Make Certain Contracts For The Collection And Disposal Of Garbage.—P. 1108.
558. AN ACT To Amend An Act Of The General Assembly Of 1961 Bearing Ratification Number 64 And Approved By The Governor February 15, 1961, Which Makes Provision For Further Public Hospital Facilities In A Section Of Greenville County Through The Creation Of The Mauldin-Simpsonville-Fountain Inn Hospital District By Providing That Title To The Hospital Facilities To Be Obtained Through The Sale Of The Bonds Authorized By The Act Shall Be Vested In The Board Of Trustees Of Greenville General Hospital, By Modifying The Functions Imposed Upon The Mauldin-Simpsonville-Fountain Inn Hospital Commission, And By Further Prescribing The Conditions Under Which The Bonds Authorized By The Act May Be Issued.—P. 1108.
559. AN ACT To Empower Special Purpose Districts In Greenville County Operating Water Distribution Systems To Sell And Convey The Same To The City Of Greenville, To Authorize Such Acquisitions By The Commissioners Of Public Works Of The City Of Greenville, To Prescribe The Terms And Conditions Under Which Such Transactions May Be Effected, And To Provide For Referendums Prior To The Sale Of Any System.—P. 1114.
560. AN ACT To Authorize And Empower Gantt Water And Sewer District Commission In Greenville County To Issue Not Exceeding Two Hundred Twenty-Five Thousand Dollars Of General Obligation Bonds Of The District, To Prescribe The Terms And Conditions Upon Which The Bonds May Be Issued And Their Proceeds Expended, And To Provide A Tax Levy For Their Payment.—P. 1117.
561. AN ACT To Create Paris Mountain Water And Sewer District In Greenville County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Two Hundred Twenty-Five Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.—P. 1120.

562. AN ACT To Validate Certain Expenditures Made By Greenville County For County Purposes During The Calendar Years 1960 And 1961.—P. 1132.
563. AN ACT To Authorize The Governing Body Of Each Water And Sewer District Of Greenville County To Employ An Attorney, And To Divest The County Attorney Of Any Responsibility Relative To Such District.—P. 1135.
564. AN ACT To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues And To Direct And Control The Expenditures Thereof.—P. 1136.
565. AN ACT To Amend Act No. 1036 Of 1960, The Greenwood County Appropriations Act, So As To Further Provide For The Payment Of Certain Hospital Claims.—P. 1157.
566. A JOINT RESOLUTION To Amend Act No. 433 Of The Acts Of 1959 Relating To The Creation Of A Courthouse Renovating And Building Committee For Greenwood County, So As To Make Further Provision For The Membership Of The Committee.—P. 1158.
567. AN ACT Providing For The Creation Of Watershed Conservation Districts In Greenwood County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1159.
568. AN ACT To Authorize The Lander Foundation Of Greenwood County To Borrow Not Exceeding Thirty Thousand Dollars From The Division Of Sinking Funds And Property And To Provide For The Payment Of The Loan.—P. 1169.
569. AN ACT To Amend An Act Of 1961 Bearing Ratification No. 208 Relating To The Creation Of Watershed Conservation Districts In Greenwood County, So As To Further Provide For The Creation Of Such Districts.—P. 1170.
570. AN ACT To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding The Sum Of Fifty Thousand Dollars For The Purpose Of Refinancing Certain Debts Of Greenwood County Incurred For The Purpose Of Purchasing Lands For Public Purposes And For The Purpose Of Buying Certain Additional Lands Needed For Public Purposes; For The Purpose Of Paying Any Costs And Interest In Connection Therewith; And To Provide For The Issuance Of A Note Or Notes For The Purpose Of Refinancing The Indebtedness And To Use The Proceeds For The Payment Of The Indebtedness, Costs, And Interest.—P. 1172.
571. AN ACT To Amend Act 441 Of 1959, As Amended, Relating To The Greenwood Metropolitan District, So As To Further Provide For The Method Of Levying Taxes, To Provide That The District May Make Sewer Service Charges, To Provide For The Establishment Of Rates To Create A Lien For Sewer Charges, To Provide For The Collection Of The Charges, To Provide That Deposits May Be Required And To Provide That Books Showing Liens Shall Be Maintained.—P. 1173.
572. AN ACT To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1961-1962, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.—P. 1176.
573. AN ACT To Create Southeast Greenwood Public Service District In Greenwood County; To Define Its Area; To Establish A Governing Commission Therefor; To

- Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Three Hundred And Fifty Thousand Dollars Of Revenue Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.—P. 1191.
574. AN ACT To Create Chitiquapin Road Public Service District In Greenwood County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Eighty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.—P. 1201.
575. AN ACT To Authorize The Board Of Trustees Of Hampton County School District No. 2 And The Treasurer Of Hampton County To Borrow Sixty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 1210.
576. AN ACT To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide For The Expenditure Thereof.—P. 1211.
577. AN ACT To Validate The Issuance And Sale Of Two Hundred Seventy-Two Thousand Dollars Town Of Ocean Drive Beach (Horry County) Waterworks And Sewer System Refunding And Improvement Revenue Bonds Of 1961.—P. 1221.
578. AN ACT To Provide That The Town Of Ocean Drive Beach In Horry County May Sell Or Trade Certain Property.—P. 1223.
579. AN ACT Providing For The Creation Of Watershed Conservation Districts In Horry County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1223.
580. AN ACT To Authorize The Town Of Ocean Drive Beach In Horry County To Abandon Certain Streets.—P. 1233.
581. AN ACT To Validate Certain Acts And Instruments Of The Horry County Board Of Education.—P. 1234.
582. AN ACT To Provide For A Referendum In Horry County To Determine Whether Or Not The Qualified Electors Wish To Increase The County Property Tax Levy By Ten Mills So That Teachers' Salaries May Be Increased.—P. 1234.
583. AN ACT To Authorize The Horry County Treasurer To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The County For Use In The Purchase Of A Site And The Erection, Maintenance And Operation Of A Building To House An Industrial And Technical Training School If Such Be Established By The State In Horry County And To Provide For The Interest Rate, Term And Method Of Repayment Of Such Bonds.—P. 1235.
584. AN ACT To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962.—P. 1236.
585. AN ACT To Provide For The Air Conditioning Of The Ridgeland Hospital In Jasper County.—P. 1250.
586. AN ACT Directing The Treasurer Of Jasper County To Transfer The Sum Of Ten Thousand Dollars From The General Fund Of The County To The Contingent Fund.—P. 1251.

587. AN ACT To Authorize The Board Of Education Of Jasper County And The Treasurer Of Jasper County To Borrow Forty-Five Thousand Dollars For School Construction And Repair And To Provide For The Payment Of The Loan.—P. 1251.
588. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1961, To Provide For The Expenditure Thereof, And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1960.—P. 1252.
589. AN ACT To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1961-1962, And To Provide For The Expenditure Thereof.—P. 1261.
590. AN ACT Authorizing The County Board Of Directors Of Lancaster County To Lease The County Home Property.—P. 1274.
591. AN ACT To Authorize The Lancaster County Board Of Directors And The Treasurer Of Lancaster County To Borrow Twenty-Five Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.—P. 1275.
592. AN ACT To Authorize The Board Of Education Of Lancaster County To Delete The Reversionary Clause From The Deed Conveying Abandoned School Buildings To The Trustees Of The Van Wyck Community Center.—P. 1276.
593. AN ACT To Authorize The Lancaster County Board Of Directors And The Treasurer Of Lancaster County To Borrow Thirty Thousand Dollars For General County Purposes, To Provide For The Payment Of The Loan, And To Repeal An Act Of 1961 Bearing Ratification No. 146.—P. 1277.
594. AN ACT To Amend Act 455 Of The Acts Of 1959, Relating To The Lancaster County Water And Sewer District So As To Further Provide For The Powers Of The Commission.—P. 1278.
595. AN ACT To Authorize The Lancaster County Board Of Education And The Treasurer Of The County To Borrow Not Exceeding Three Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.—P. 1279.
596. AN ACT To Amend Act No. 1063 Of The Acts And Joint Resolutions Of The General Assembly Of 1960 Authorizing A Bond Issue For Lancaster County Not To Exceed One Hundred Thousand Dollars And Prescribing The Purposes For Which Proceeds Of The Bonds Were To Be Used, So As To Limit The Use Of The Proceeds Of The Bonds To Additions To The Present County Office Building And Renovations To The Courthouse Of The County.—P. 1280.
597. AN ACT To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1961, To July 1, 1962, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.—P. 1281.
598. AN ACT To Provide That Laurens County May Borrow Sixty Thousand Dollars For The Purpose Of Replenishing The County Reserve Fund And To Provide For Payment Thereof.—P. 1295.
599. AN ACT Providing For The Creation Of Watershed Conservation Districts In Laurens County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1295.

600. AN ACT To Authorize And Empower The County Board Of Commissioners Of Laurens County To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Laurens County, If The Election Required By This Act Shall Result Favorably; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.—P. 1305.
601. AN ACT To Provide For The Appointment And Terms Of Office Of The Members Of The Lee County Forestry Board.—P. 1309.
602. AN ACT Providing For The Creation Of Watershed Conservation Districts In Lee County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.—P. 1310.
603. AN ACT To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1961-1962, And To Provide For The Expenditure Thereof.—P. 1320.
604. AN ACT To Authorize The Lexington County Board Of Commissioners And The Treasurer Of Lexington County To Borrow A Sum Of Money For County Purposes, And To Provide For The Payment Of The Loan.—P. 1331.
605. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof.—P. 1333.
606. A JOINT RESOLUTION Providing For An Election To Determine The Wishes Of Certain Citizens Of Lexington And Richland Counties Regarding The Creation Of The Broad River Road-St. Andrews Public Service District.—P. 1343.
607. AN ACT To Validate A Certain Loan And The Purchase Of Certain Bonds By McCormick County.—P. 1346.
608. AN ACT To Provide For The Transfer Of Funds By McCormick County.—P. 1346.
609. AN ACT To Direct The Treasurer Of McCormick County To Transfer Five Thousand Dollars From The General Fund Of The County To The Miscellaneous And Contingent Fund.—P. 1347.
610. AN ACT To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And Providing For The Expenditure Thereof.—P. 1347.
611. AN ACT To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.—P. 1355.
612. AN ACT Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof, To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1961, And For The Expenditure Thereof, And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.—P. 1368.
613. AN ACT Directing The South Carolina State Highway Department To Remove A Certain Road In Marlboro County From Its System And Closing The Road To Public Use.—P. 1376.

614. AN ACT To Appropriate Funds Of Newberry County To The National Guard Unit At Whitmire For Purchasing Necessary Equipment For The New Armory At Whitmire.—P. 1377.
615. AN ACT To Authorize The Board Of Trustees Of Newberry County Hospital And The Treasurer Of Newberry County To Borrow A Sum Of Money For Hospital Purposes, And To Provide For The Payment Of The Loan.—P. 1378.
616. AN ACT To Authorize The Treasurer Of Newberry County To Borrow A Sum Of Money For General County Purposes, And To Provide For The Payment Of The Loan.—P. 1379.
617. AN ACT To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide For The Expenditure Thereof.—P. 1380.
618. AN ACT To Validate The Election Held Pursuant To The Provisions Of Act No. 1096 Of The Acts Of 1960 Whereby There Was Created The East Seneca Water District.—P. 1386.
619. AN ACT To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1961.—P. 1387.
620. AN ACT To Authorize The Trustees Of Holly Hill School District No. 3, Orangeburg County, To Borrow Not Exceeding Fifty Thousand Dollars, Or The Constitutional Limit, For The Purpose Of Defraying The Cost Of Capital Improvements In The District, And To Provide For The Payment Of The Indebtedness.—P. 1399.
621. AN ACT To Authorize And Direct The County Highway Commissioners Of Orangeburg County To Deed Unto Mamie B. Smoak Certain Property In Orangeburg County.—P. 1400.
622. AN ACT To Authorize The Orangeburg County Highway Commission To Convey Certain Property To The Government Of The United States Of America Under Certain Conditions.—P. 1401.
623. AN ACT To Make Supplemental Appropriations For Orangeburg County For The Fiscal Year July 1, 1960 To June 30, 1961.—P. 1402.
624. AN ACT To Authorize The Orangeburg County Highway Commission To Convey And Quitclaim Its Interest In Certain Property To The Orangeburg County Historical Society, Inc.—P. 1403.
625. AN ACT To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1961, To June 30, 1962; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.—P. 1404.
626. AN ACT To Authorize And Empower The Board Of Trustees Of Pickens County School District A To Issue Not Exceeding One Million Six Hundred Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended And To Make Provision For The Payment Of Such Bonds.—P. 1416.
627. AN ACT To Authorize The Board Of Trustees Of Pickens School District A To Borrow Fourteen Thousand Dollars For School Purposes From The Division Of Sinking Funds And Property, And To Provide For The Payment Of The Loan.—P. 1419.

628. AN ACT To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Direct The Expenditure Thereof.—P. 1420.
629. AN ACT To Provide For A Referendum In Pickens County To Determine Whether Or Not The Office Of Superintendent Of Education Shall Be Retained, And To Provide For A Special Election For The Office Of Superintendent Of Education In The Event That A Majority Of The Qualified Electors Voting In The Referendum Favor Retention Of The Office.—P. 1431.
630. AN ACT To Authorize The State Highway Department To Construct A Road In Pickens County And To Provide For The Payment Thereof.—P. 1432.
631. AN ACT To Create The Oolenoy River Watershed Conservation District In Pickens County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.—P. 1433.
632. AN ACT To Authorize The Trustees Of Richland County School District No. 2 And The Treasurer Of Richland County To Borrow Not Exceeding Eighty Thousand Dollars For School Purposes, And To Provide For The Payment Of Such Loan.—P. 1443.
633. AN ACT To Authorize And Empower The Board Of Trustees Of School District No. 2 Of Richland County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Enumerated In This Act, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.—P. 1444.
634. AN ACT To Amend Act No. 1114 Of 1960 Relating To The Jackson-Gills Creek Public Service District In Richland County, So As To Further Provide For A Subsequent Term Of One Of The Members Of The Commission And To Correct A Reference.—P. 1447.
635. AN ACT To Authorize The Board Of Trustees Of Columbia Hospital Of Richland County And The Treasurer Of Richland County To Borrow One Hundred Ninety Thousand Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.—P. 1448.
636. AN ACT To Authorize The Board Of Commissioners Of Richland County To Sell Certain Property On Lady Street Formerly Used As The Health Center; And To Provide For The Terms Of The Sale.—P. 1450.
637. AN ACT To Authorize The Board Of Commissioners Of Richland County To Sell Certain Property Near The Veterans' Hospital And To Provide For The Terms Of The Sale.—P. 1451.
638. AN ACT To Authorize The Richland County Board Of Commissioners To Purchase A Certain Parcel Of Land In The City Of Columbia.—P. 1452.
639. AN ACT To Redefine The Area Of Center Township In Richland County.—P. 1453.
640. AN ACT To Amend Act No. 1000 Of 1928, As Amended, Relating To The Columbia Township Auditorium, So As To Provide For The Terms, Qualifications And Powers Of The Trustees Of The Auditorium.—P. 1453.
641. AN ACT To Authorize The School Commissioners Of School District No. 1, Richland County, To Issue Not Exceeding One And One-Half Million Dollars Of

- General Obligation Bonds Of School District No. 1, Richland County; To Prescribe The Conditions Under Which Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of Such Bonds.—P. 1455.
642. AN ACT To Amend Section 2 Of An Act Of 1961 Bearing Ratification No. 129 Authorizing The Board Of Commissioners Of Richland County To Sell Certain Property Near The Veterans' Hospital, So As To Further Provide For The Terms Of Its Sale.—P. 1458.
643. AN ACT To Authorize The Treasurer Of Richland County To Borrow Not To Exceed Two Hundred Twenty-Five Thousand Dollars And To Provide For The Payment Thereof.—P. 1459.
644. AN ACT To Authorize The Board Of Trustees Of Columbia Township Auditorium In Richland County To Borrow Sixty Thousand Dollars For The Purpose Of Air Conditioning The Auditorium, And To Provide For The Payment Of Such Loan.—P. 1460.
645. AN ACT To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1961-1962 And To Direct The Expenditures Thereof.—P. 1461.
646. AN ACT To Authorize And Empower The Board Of Trustees Of School District No. 5, Richland County, To Issue General Obligation Bonds Of School District No. 5, Richland County, In An Amount Not Exceeding Three Hundred Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended; And To Make Provision For The Payment Of The Bonds.—P. 1493.
647. AN ACT To Provide For The Levy Of Taxes For Ordinary County And School Purposes, For A Period Of Twelve Months, Beginning July 1, 1961 And Ending June 30, 1962, Both Inclusive, For Saluda County; To Provide For The Expenditure Thereof; And To Provide For The Rental Of Certain County Properties.—P. 1495.
648. AN ACT To Remove A Certain Area Included In The Cowpens Water District And In The Liberty-Chesnee-Fingerville Water District In Spartanburg County From The Cowpens Water District So That It Will Be Included Only In The Liberty-Chesnee-Fingerville Water District.—P. 1504.
649. AN ACT To Amend Act No. 1287 Of The Acts Of 1938, As Amended, Relating To The Committee For The Spartanburg Metropolitan Sub-District B In Spartanburg County, So As To Require A Filing Fee Of Candidates For Election To The Committee.—P. 1505.
650. A JOINT RESOLUTION Directing The Auditor And Treasurer Of Spartanburg County To Cease The Levying And Collection Of County Taxes Upon Property Of Any Masonic Lodge In Spartanburg County Which Is Used For Nonprofit Purposes.—P. 1507.
651. AN ACT To Amend Act No. 1101 Of The Acts Of 1956, Relating To The Woodruff-Roebuck Water District In Spartanburg County, So As To Further Provide For The Terms Of Office Of The Commissioners.—P. 1508.
652. AN ACT To Authorize And Empower Startex-Jackson-Wellford-Duncan Water Commission To Issue General Obligation Bonds Of Startex-Jackson-Wellford-Duncan Water District In The Principal Amount Of Not Exceeding Two Hundred Fifty Thousand Dollars, If The Election Required By This Act Shall Result Favorably; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.—P. 1509.

653. AN ACT To Validate Certain Expenditures Made By Spartanburg County For County Purposes During The Calendar Year 1960-1961 And To Provide For The Expenditure Of Certain Monies Appropriated For The Use Of The Register Of Mesne Conveyances Of Spartanburg County.—P. 1513.
654. AN ACT Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1962.—P. 1514.
655. AN ACT To Provide For Deposit Of Certain School Taxes In Spartanburg County And To Further Provide For The Tax Levy In Greer School District 9H Of Spartanburg County.—P. 1544.
656. AN ACT To Amend Section 9 Of Act No. 252 Of The Acts Of 1941, Relating To Charity Patients At The Spartanburg General Hospital, So As To Further Provide For The Admission Of Such Patients, And To Provide For The Employment Of A Hospital Charity Investigator For Spartanburg County.—P. 1544.
657. AN ACT To Amend Act No. 1134 Of The Acts Of 1960, Creating The Lynchburg-Shiloh Watershed Conservation District In Sumter And Lee Counties, So As To Include Within The District Certain Of The Lands Within The Atkins Drainage District In Lee County.—P. 1545.
658. AN ACT To Permit And Authorize The Trustees Of School District No. 17 Of Sumter County To Use Not Exceeding Forty Thousand Dollars Of Surplus Sinking Funds For School Purposes.—P. 1546.
659. AN ACT To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1961; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.—P. 1546.
660. AN ACT To Authorize The State Highway Department To Construct A Certain Road In Union County And To Provide For The Payment Thereof.—P. 1557.
661. AN ACT To Add To The State Highway Secondary System And To Authorize The Construction Of A Certain Secondary Highway In Union County.—P. 1558.
662. AN ACT Authorizing And Directing The Board Of Education Of Union County To Convey Certain Abandoned School Property To The Town Of Carlisle.—P. 1558.
663. AN ACT To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.—P. 1559.
664. AN ACT To Authorize The State Highway Department To Construct A Certain Road In The City Of Kingstree In Williamsburg County And To Provide For The Payment Thereof.—P. 1577.
665. AN ACT To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.—P. 1577.
666. AN ACT To Amend Section 1 Of Act No. 544 Of The Acts Of 1959, As Amended, Authorizing The Continuation Of The Special One-Mill Levy In York County, So As To Authorize The Board Of Trustees Of The York County Hospital To Borrow Certain Money And To Provide That The Levy Shall Be Used To Retire Such Loan.—P. 1585.

667. AN ACT To Provide For The Continuance Of A One-Half Mill Tax Levy In York County To Provide The Rural Fire Control Board Of York County With Funds To Purchase And Maintain Fire Trucks And Other Equipment.—P. 1586.
668. AN ACT To Provide That The Board Of Trustees Of Clover School District No. 2 In York County May Purchase Or Sell Property In Clover, Which Is Essential For The Operation Of The Schools.—P. 1586.
669. AN ACT Authorizing The Treasurer Of York County To Transfer Three Thousand Dollars From The General Fund To The Contingent Fund Of The County.—P. 1587.
670. AN ACT To Authorize York County To Sell And Convey Certain Property To The State Educational Finance Commission.—P. 1587.
671. AN ACT Making Supplemental Appropriations For York County For The Fiscal Year 1960-61.—P. 1588.
672. AN ACT To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.—P. 1589.
673. AN ACT To Increase The Membership On The Board Of Trustees Of The York County Hospital From Twelve To Fourteen And To Provide For The Qualifications, Selection And Terms Of The Two Additional Members.—P. 1601.

RATIFICATION NUMBERS
With Act Numbers Assigned

Ratification No.	Act No.	Ratification No.	Act No. Recalled
1	1	58	
2	2	59	554
3	3	60	666
4	577	61	37
5	632	62	620
6	633	63	38
7	485	64	555
8	565		
9	598	65	39
10	490	66	40
11	4	67	41
12	5	68	42
13	6	69	532
14	7	70	43
15	8	71	44
16	9	72	45
17	10	73	46
18	11	74	492
19	12	75	47
20	443	76	48
21	491	77	49
22	13	78	50
23	14	79	51
24	607	80	52
25	608	81	53
26	511	82	54
27	618	83	55
28	512	84	56
29	475	85	57
30	15	86	58
31	16	87	59
32	599	88	60
33	17	89	61
34	18	90	62
35	19	91	63
36	20	92	64
37	21	93	65
38	22	94	66
39	23	95	67
40	488	96	621
41	24	97	68
42	25	98	69
43	26	99	578
44	27	100	70
45	28	101	667
46	29	102	71
47	30	103	634
48	31	104	72
49	32	105	668
50	33	106	513
51	461	107	462
52	34	108	73
53	590	109	74
54	531	110	446
55	465	111	75
56	35	112	635
57	36	113	614

Ratification No.	Act No.	Ratification No.	Act No.
114	76	174	627
115	77	175	114
116	78	176	115
117	79	177	116
118	80	178	117
119	81	179	539
120	82	180	540
121	83	181	118
122	84	182	119
123	85	183	120
124	86	184	670
125	87	185	601
126	88	186	121
127	89	187	463
128	636	188	122
129	637	189	123
130	556	190	124
131	90	191	125
132	585	192	126
133	544	193	456
134	604	194	649
135	557	195	471
136	91	196	127
137	92	197	128
138	477	198	657
139	93	199	129
140	660	200	130
141	94	201	131
142	95	202	132
143	96	203	133
144	97	204	134
145	566	205	440
146	591	206	545
147	98	207	135
148	99	208	567
149	100	209	136
150	518	210	519
151	101	211	137
152	Recalled	212	138
153	669	213	139
154	437	214	140
155	102	215	141
156	103	216	142
157	104	217	442
158	105	218	143
159	438	219	144
160	638	220	145
161	106	221	146
162	639	222	Vetoed
163	107	223	147
164	108	224	148
165	109	225	149
166	110	226	150
167	508	227	151
168	111	228	444
169	648	229	640
170	112	230	609
171	615	231	641
172	113	232	152
173	626	233	153

RATIFICATION NUMBERS

lxi

Ratification No.	Act No.	Ratification No.	Act No.
234	154	294	199
235	155	295	496
236	156	296	497
237	157	297	200
238	522	298	Recalled
239	158	299	201
240	642	300	202
241	159	301	203
242	493	302	546
243	472	303	592
244	160	304	558
245	161	305	469
246	162	306	534
247	622	307	535
248	163	308	204
249	164	309	205
250	165	310	206
251	166	311	207
252	167	312	208
253	494	313	209
254	168	314	210
255	169	315	211
256	457	316	212
257	623	317	213
258	533	318	214
259	170	319	498
260	171	320	215
261	172	321	466
262	173	322	568
263	495	323	216
264	174	324	217
265	175	325	218
266	176	326	219
267	177	327	220
268	452	328	221
269	178	329	222
270	551	330	223
271	179	331	224
272	180	332	225
273	181	333	226
274	182	334	227
275	183	335	228
276	184	336	229
277	185	337	230
278	186	338	231
279	523	339	232
280	187	340	233
281	188	341	234
282	664	342	235
283	189	343	236
284	190	344	237
285	191	345	238
286	455	346	239
287	192	347	240
288	193	348	241
289	194	349	242
290	195	350	243
291	196	351	244
292	197	352	245
293	198	353	246

Ratification No.	Act No.	Ratification No.	Act No.
354	547	414	288
355	247	415	289
356	447	416	628
357	671	417	559
358	575	418	290
359	672	419	586
360	248	420	291
361	249	421	473
362	250	422	541
263	251	423	292
364	252	424	520
365	253	425	293
366	254	426	542
367	255	427	294
368	256	428	295
369	257	429	296
370	258	430	479
371	453	431	297
372	576	432	298
373	259	433	299
374	260	434	300
375	464	435	301
376	261	436	449
377	616	437	581
378	643	438	644
379	262	439	302
380	263	440	303
381	264	441	304
382	579	442	305
383	265	443	499
384	266	444	500
385	267	445	306
386	268	446	307
387	269	447	308
388	270	448	309
389	271	449	310
390	272	450	311
391	273	451	454
392	274	452	312
393	275	453	313
394	276	454	314
395	277	455	315
396	278	456	316
397	279	457	317
398	280	458	318
399	650	459	319
400	281	460	320
401	448	461	439
402	536	462	321
403	580	463	322
404	593	464	323
405	458	465	324
406	459	466	325
407	282	467	651
408	283	468	326
409	284	469	327
410	285	470	328
411	286	471	329
412	287	472	505
413	460	473	330

Ratification No.	Act No.	Ratification No.	Act No.
474	331	534	368
475	445	535	482
476	548	536	369
477	332	537	370
478	333	538	371
479	334	539	In hands of Governor
480	624	540	
481	594	541	372
482	549	542	373
483	335	543	374
484	336	544	483
485	337	545	375
486	595	546	376
487	338	547	441
488	602	548	506
489	467	549	377
490	339	550	378
491	340	551	612
492	525	552	379
493	526	553	380
494	341	554	645
495	527	555	552
496	480	556	587
497	342	557	381
498	343	558	382
499	344	559	474
500	345	560	383
501	528	561	384
502	569	562	550
503	514	563	605
504	481	564	625
505	346	565	610
506	347	566	507
507	348	567	385
508	570	568	386
509	571	569	387
510	349	570	515
511	350	571	484
512	351	572	476
513	352	573	388
514	In hands of Governor	574	389
515		575	390
516	353	576	391
517	354	577	392
518	355	578	560
519	356	579	393
520	478	580	394
521	357	581	395
522	358	582	396
523	596	583	397
524	359	584	582
525	501	585	629
526	360	586	398
527	658	587	572
528	361	588	502
529	362	589	597
530	363	590	468
531	364	591	399
532	365	592	400
533	366	593	619
	367		401

Ratification No.	Act No.	Ratification No.	Act No.
594	402	638	423
595	573	639	524
596	486	640	647
597	661	641	588
598	662	642	424
599	403	643	631
600	600	644	425
601	665	645	537
602	404	646	426
603	405	647	562
604	574	648	563
605	450	649	427
606	451	650	428
607	489	651	606
608	406	652	583
609	407	653	429
610	561	654	430
611	408	655	613
612	409	656	431
613	410	657	509
614	411	658	432
615	529	659	433
616	538	660	434
617	412	661	564
618	413	662	653
619	414	663	530
620	415	664	435
621	416	665	584
622	503	666	663
623	504	667	510
624	617	668	659
625	673	669	470
626	417	670	553
627	418	671	654
628	Vetoed	672	516
629	652	673	589
630	419	674	517
631	543	675	611
632	420	676	655
633	521	677	436
634	646	678	656
635	630	679	603
636	421	680	487
637	422		

ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
State of South Carolina

ERNEST F. HOLLINGS, Governor; BURNET R. MAYBANK, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, Speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the 10th day of January, A. D. 1961
and was adjourned sine die on the 18th day of
May, A. D., 1961

PART I
GENERAL AND PERMANENT LAWS

(R1, S6)

No. 1

An Act To Amend Section 4 Of Act No. 873 Of The Acts And Joint Resolutions Of 1960, Relating To The Rural Recreational

Commission Of Richland County, So As To Include The County Supervisor As A Member Ex Officio Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. **Section 4 of Act 873 of 1960, amended—to be governed by a commission—members—appointments—terms—vacancies—officers.**—Section 4 of Act No. 873 of the Acts and Joint Resolutions of 1960 is amended by inserting between the words “of” and “five” on line 4 the following: “the county supervisor who shall be a member ex officio and”, so that when amended the section shall read as follows:

“Section 4. The district shall be governed by a commission to be known as the Rural Recreational Commission of Richland County, hereinafter referred to as the commission, which shall be composed of the county supervisor who shall be a member ex officio and five resident electors of the district to be appointed by the Governor upon the recommendation of the Richland County Legislative Delegation, including the Senator. In making such recommendations the Richland County Legislative Delegation shall endeavor to give representation on the commission to all sections of the district. The terms of office of the initial commission shall be for terms of one, two, three, four and five years, respectively, and the initial appointees, after organizing, shall determine the duration of their respective terms by lot. Upon the expiration of the initial terms of office, successors for all succeeding terms shall hold office for a term of five years. Should vacancies in office occur, successors shall be appointed for the balance of the unexpired term in the same manner as the members, whom they succeed, were appointed. All commissioners shall hold office for their respective term and until their successors shall have been elected and qualified.

Immediately upon the appointment of the commission, it shall organize by electing one of its number as chairman, a second as vice-chairman, and a third as secretary. The officers of the commission shall hold office for terms of one year and until their successors shall be chosen and qualify. It shall be the duty of the commission to see that a record of the appointees to the commission shall be filed in the clerk of court's office in Richland County, so as to indicate the persons holding office as members of the commission and the duration of their respective terms. No member of the commission shall receive any compensation for his services as a member of the commission.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R2, S7)

No. 2

An Act To Repeal Sections 14-2901 Through 14-2903, Code Of Laws Of South Carolina, 1952, Relating To The County Board Of Commissioners For McCormick County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 14-2901 through 14-2903, 1952 Code, repealed.—Sections 14-2901 through 14-2903, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R3, S45)

No. 3

An Act To Set The Terms Of Magistrates In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of Orangeburg County magistrates.—All magistrates henceforth appointed in Orangeburg County shall be for terms of four years and until their successors have been appointed and qualify. Appointments to fill vacancies for unexpired terms shall be for the remaining portion of such unexpired terms.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R11, S21)

No. 4

An Act To Amend Section 29-111, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of A System Of Paid Fire Fighting Units In Richland County, So As To Add The Provision Of Section 29-112 So As To Combine The Provisions Of The Two Sections Which Are Improperly Divided; And To Repeal Section 29-112, Code Of Laws Of South Carolina, 1952, Relating To Fire Fighting In Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 29-111, 1952 Code, amended—Richland County may employ fire fighters.—Section 29-111, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following:

“The Richland County forest ranger and the district fire warden of the Dutch Fork, Blythewood, Pontiac, Hopkins and Eastover Fire Districts may employ and appoint three paid fire fighters in each of the districts to serve in a fire fighter unit between November first and May first each year for the purpose of fighting forest fires in the districts. Their training and duties shall be prescribed by and performed under the direction of the Richland County forest ranger and the fire warden of the district wherein they reside. No more than three paid fire fighters are to be appointed from any one such fire district and no such appointments shall become effective until approved by the Richland County forestry board.”

SECTION 2. Repeal—Section 29-112, 1952 Code, repealed.—Section 29-112, Code of Laws of South Carolina, 1952, and all acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R12, S23)

No. 5

An Act To Repeal Section 26-52, Code Of Laws Of South Carolina, 1952, Relating To Proof Of Laws Of Foreign Jurisdiction, Which Section Is Obsolete And Has Been Replaced By Sections

**26-61 Through 26-68, Code Of Laws Of South Carolina, 1952,
The Uniform Judicial Notice Of Foreign Law Act.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 26-52, 1952 Code, repealed.—Section 26-52, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R13, S25)

No. 6

An Act To Amend Section 15-1012, Code Of Laws Of South Carolina, 1952, Relating To Investigations By Certain Municipal Courts Of Incurrigible And Destitute Children, So As To Provide That Testimony Given In Such Investigations Need Not Be Signed By The Witnesses When Such Testimony Is Recorded By A Sworn Stenographer; And To Amend Section 15-1015, Code Of Laws Of South Carolina, 1952, Relating To Appeals Of Such Children From The Findings Of Such Municipal Courts, So As To Delete A Provision Not Applicable Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1012, 1952 Code, amended—investigations of incorrigible and destitute children—witnesses.—Section 15-1012, Code of Laws of South Carolina, 1952, is amended by inserting after the word “otherwise” on the last line a period and striking out on the last line the following: “and signed by the witnesses.” and inserting in lieu thereof the following: “Unless recorded by a sworn stenographer, the testimony shall be signed by the witnesses.” so that the section when amended shall read as follows:

“Section 15-1012. In making such investigation the person holding such court shall summon as witnesses the parents, grandparents, guardians or persons with whom the child resides, as well as all others who, in the opinion of the person holding such court, may have knowledge of the conditions and circumstances of such child and also such persons as the child or its parents, guardians or persons with whom it may reside may desire to have summoned; *provided*,

such person or persons reside within the jurisdiction of the court. The court shall examine all such persons, under oath, as to the condition and circumstances surrounding such child, the testimony of the witnesses to be reduced to writing either stenographically or otherwise. Unless recorded by a sworn stenographer, the testimony shall be signed by the witnesses."

SECTION 2. Section 15-1015, 1952 Code, amended—appeals.—

Section 15-1015, Code of Laws of South Carolina, 1952, is amended by striking out the last sentence of the section which reads as follows:

"When the evidence is taken by a sworn stenographer it need not be signed by the witnesses."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R14, S26)

No. 7

An Act To Repeal Section 15-271, Code Of Laws Of South Carolina, 1952, Providing That During Terms Of Court Of General Sessions In The Fifth Circuit The Court Of Common Pleas Shall Be Open For Matters When Not Conflicting With The Business Of The Court Of General Sessions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-271, 1952 Code, repealed.—Section 15-271, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R15, S27)

No. 8

An Act To Amend Section 15-232, Code Of Laws Of South Carolina, 1952, Relating To The Appeals From Magistrates' And Municipal Courts, So As To Accurately Reflect The Form Of Notice Required For Such Appeals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-232, 1952 Code, amended—appeals from magistrates' or municipal courts.—Section 15-232, Code of Laws of South Carolina, 1952, is amended by striking out on line three "Section 10-1203" between the words "by" and "being" and inserting in lieu thereof the word "law", so that the section when amended shall read as follows:

"Section 15-232. Circuit judges may hear appeals from magistrates' courts and municipal courts to the court of general sessions and the court of common pleas, upon notice as required by law being given for the hearing of the same."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R16, S30)

No. 9

An Act To Amend Section 14-399.4, Code Of Laws Of South Carolina, 1952, Relating To Appeals To The Supreme Court Of Decisions Of Planning Commissions In Certain Counties, So As To Clarify The Provisions Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-399.4, 1952 Code, amended—appeals to Supreme Court.—Section 14-399.4, Code of Laws of South Carolina, 1952, is amended by striking out in line two between the words "provided" and "It" the following "in civil Cases." and inserting in lieu thereof the following:

“for appeals from judgment of the circuit courts in law cases.”, so that the section when amended shall read as follows:

“Section 14-399.4. An appeal may be taken from the decision of the circuit court to the Supreme Court in the same manner as is provided for appeals from judgment of the circuit courts in law cases. It shall not be necessary in a judicial proceeding under this article to enter exceptions to the ruling of the commission and no bond shall be required for entering an appeal. Upon the final determination of the judicial proceeding the commission shall enter an order in accordance with the determination.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R17, S31)

No. 10

An Act To Amend Section 14-380, Code Of Laws Of South Carolina, 1952, Relating To Appeals To The Supreme Court Of Decisions Of Boards Of Adjustment In Certain Counties, So As To Delete A Provision Not Applicable Thereto.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-380, 1952 Code, amended—appeals to Supreme Court.—Section 14-380, Code of Laws of South Carolina, 1952, is amended by striking out all of the section and inserting in lieu thereof the following:

“Section 14-380. Any party at interest who is aggrieved by the judgment rendered by the circuit court upon such appeal may have it reviewed by appeal in the same manner as provided by law for appeals from other judgments of the circuit courts in law cases.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R18, S32)

No. 11

An Act To Repeal Sections 13-311, 13-312, 13-313, 13-314 And 13-315, Code Of Laws Of South Carolina, 1952, Relating To Licenses To Traffic In Long Cotton.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 13-311 through 13-315, 1952 Code, repealed.—Sections 13-311, 13-312, 13-313, 13-314 and 13-315, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R19, S44)

No. 12

An Act To Require The Filing With The Clerk Of Court Of Abbeville County Of A Building Permit By Any Person Who Intends To Construct New Buildings Or Add To Existing Buildings In Abbeville County Where The Cost Exceeds Five Hundred Dollars And To Provide An Exception Thereto And A Penalty For Violating The Provisions Hereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County to require building permits.—Any person who intends to construct any new building or any addition to an existing building in Abbeville County where the cost exceeds five hundred dollars shall obtain from the clerk of court of the county a building permit which shall be executed and returned to the clerk before any construction shall commence.

SECTION 2. Form and fee.—The building permit shall be on such form or forms as may be prescribed by the clerk and for issuing the permit the clerk shall charge a fee of one dollar. The permit shall show the estimated cost of the construction and the approximate date of completion.

SECTION 3. Not applicable to certain municipalities.—The provisions of Section 1 of this act shall not be applicable within any municipality within the county where a duplicate of such permit as

may now be required by the municipality is presently furnished the auditor.

SECTION 4. Penalties.—Any person violating Section 1 of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R22, H1087)

No. 13

An Act To Repeal Sections 65-1755 And 65-1759, Code Of Laws Of South Carolina, 1952, Relating To Tax Returns In Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 65-1755 and 65-1759, 1952 Code, repealed.—Sections 65-1755 and 65-1759, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R23, H1088)

No. 14

An Act To Amend Section 23-173, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Fairfield County, So As To Eliminate The Precinct Of Shelton.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-173, 1952 Code, amended—Fairfield County voting precincts—Shelton eliminated.—Section 23-173,

Code of Laws of South Carolina, 1952, as amended, is further amended by striking therefrom "Shelton;" so that, when so amended the section shall read as follows:

"Section 23-173. In Fairfield County there shall be the following voting precincts: Centerville; Feasterville; Mitford; Monticello; Ridgeway; Winnsboro; Woodward; Longtown; Greenbrier; Lebanon; Jenkinsville; Winnsboro Mills; South Winnsboro; New Hope; Blairs; Gladden Grove; Hickory Ridge; White Oak; Simpson; and Blackstock."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R30, S17)

No. 15

An Act To Amend Section 32-147, Code Of Laws Of South Carolina, 1952, Relating To Powers And Duties Of County Boards Of Health, So As To Replace The Word "Lunatics" With The Words "Mentally Ill" And The Word "Asylum" With The Word "Hospital".

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 32-147, 1952 Code, amended—powers and duties of Charleston County Board of Health.—Section 32-147, Code of Laws of South Carolina, 1952, is amended by striking on the last line thereof the word "lunatics" and inserting in lieu thereof the words "mentally ill" and by striking the word "asylum" and inserting the word "Hospital", so that when amended the section shall read as follows:

"Section 32-147. The county health board shall cooperate with and assist the various hospitals and health and charitable institutions in the county to which an appropriation is given by the county. It may direct the disposition of cases of communicable diseases and may recommend the commitment of persons found to be mentally ill to the State Hospital in Columbia."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R31, S28)

No. 16

An Act To Amend Section 15-142, Code Of Laws Of South Carolina, 1952, Relating To The Priority Of Hearing Cases In The Supreme Court, So As To Clarify A Cross Reference To Priority Of Appeals From Orders Concerning The Issuance, Continuance, Modification Or Refusal Of Injunctions And Of Appointments Of Receivers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 3 of Section 15-142, 1952 Code, amended—priority of certain appeals to Supreme Court.—Item (3) of Section 15-142, Code of Laws of South Carolina, 1952, is amended by striking out all of the item and inserting in lieu thereof the following:

(3) An appeal from any order granting, refusing, sustaining, dissolving, modifying or discharging an injunction, or appointing or refusing to appoint a receiver, shall take precedence over other matters.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R33, S55)

No. 17

An Act To Confirm The Boundaries Of Townships In Union County, Which Shall Be Section 14-94.1, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 14-94.1 added—boundaries of certain townships in Union County confirmed.—

The Code of Laws of South Carolina, 1952, is amended by adding a new section, to be Section 14-94.1, which shall read as follows:

“Section 14-94.1. The boundaries of the Townships of Bogansville, Cross Keys, Fishdam, Goshen Hill, Jonesville, Pinckney, Santuc and Union, which compose Union County, as shown on a map prepared by Claude E. Sparks and John W. McClure, Jr., South Carolina Registered Land Surveyors, the pilot map of which is on file in the office of the Clerk of Court for Union County, are confirmed and set forth as follows:

Bogansville Township is bounded as follows: on the north by Jonesville Township, from which it is divided by a line extending in an easterly direction from a point on the line between Spartanburg and Union Counties, to corner at the railroad crossing just above Bonham; on the east by Union Township, from which it is divided by a line extending in a southerly direction from the corner at the railroad crossing, to the old Lower Fairforest Brick Church site and continuing in the same straight line to Tyger River; on the south by Tyger River, which separates it from Cross Keys Township; on the west by a line running in a northerly direction from Tyger River to the beginning point, which is the dividing line between Union and Spartanburg Counties.

Cross Keys Township is bounded as follows: on the north and northeast by Tyger River, which separates it from Bogansville and Union Townships; on the southeast by Goshen Hill Township, from which it is divided by a line, beginning on Tyger River at Gist Bridge and running in southwesterly direction to the old Quaker Methodist Church site, and from there to a point on Enoree River, at the old Browning Ferry; on the south by Enoree River, which separates it and Union County from Laurens County; on the west by Spartanburg County, from which it is divided by a line running in a northerly direction from a point on Enoree River, opposite Gordon's or Musgrove Mill site, to the Cross Keys road; thence to the mouth of Hackers Creek on Tyger River.

Fishdam Township is bounded as follows: on the northeast and east by Broad River, which separates it and Union County from Chester and Fairfield Counties; on the south by Tyger River, which separates it and Union County from Newberry County; on the

southwest by Tyger River, which separates it from Goshen Hill Township; on the northwest by Santuc Township, from which it is divided by a line running in a northeasterly direction from Rogers Ferry site above Highway No. 72 on Tyger River, to the beginning point on Broad River at the mouth of Neals Creek.

Goshen Hill Township is bounded as follows: on the northeast by Tyger River, which separates it from Union, Santuc and Fishdam Townships; on the southeast by Newberry County, by the county line extending in a southwesterly direction from a point on Tyger River to Enoree River; on the southwest by Enoree River, which separates it and Union County from Newberry and Laurens Counties; on the northwest by Cross Keys Township, from which it is divided by a line running in a northeasterly direction from a point on Enoree River at Brownings Ferry to the old Quaker Methodist Church site on Padgett's Creek, thence a straight line to Gist Bridge, on Tyger River.

Jonesville Township is bounded as follows: on the north by Pacolet River, which separates it and Union County from Cherokee County; on the east by Pinckney Township, from which it is divided by a line beginning at a point on Pacolet River, below the mouth of Peter Hawk Creek and running in a southerly direction to a corner at the railroad crossing at Bonham which is the corner also for Bogansville, Pinckney and Union Townships; on the south by Bogansville Township, from which it is divided by a line running in a westerly direction from the corner at the railroad crossing, to a point on the dividing line between Spartanburg and Union Counties; on the northwest by Spartanburg County, from which it is divided by a line running in a northeasterly direction to the beginning point on Pacolet River.

Pinckney Township is bounded as follows: on the north by Pacolet River, which separates it and Union County from Cherokee County; on the east by Broad River, that separates it and Union County from York and Chester Counties; on the south and southwest by Santuc and Union Townships, from which it is divided by a line running in a northwesterly direction from Worthy's Ferry on Broad River, to corner at the railroad crossing at Bonham; on the west by Jonesville Township, from which it is divided by line running in a northerly direction from the corner at the railroad crossing, to beginning point on Pacolet River, below the mouth of Peter Hawk Creek.

Santuc Township is bounded as follows: on the north by Pinckney Township, from which it is divided by a line, beginning at the northeast corner of Union Township and running in southeasterly direction to Worthy's Ferry on Broad River; on the northeast by Broad River, which separates it and Union County from Chester County; on the southeast by Fishdam Township, from which it is divided by a line beginning at the mouth of Neals Creek on Broad River and running in southwesterly direction to the old Hamilton's or Rogers Ferry site on Tyger River; on the southwest by Tyger River, which separates it from Goshen Hill Township; on the northwest by Union Township, from which it is divided by a line beginning at the mouth of Fairforest Creek and running in northeasterly direction to State Highway No. 49, at the point where it is intersected by Highway No. 43, and continuing in the same direction to the beginning corner on the Pinckney Township line.

Union Township is bounded as follows: on the northeast by Pinckney Township, from which it is divided by a line beginning at the corner at the railroad crossing near Bonham, and running in southeasterly direction to the northwest corner of Santuc Township; on the southeast by Santuc Township, from which it is divided by a line running in southwesterly direction, to the mouth of Fairforest Creek on Tyger River; on the southwest by Tyger River, which separates it from Goshen Hill and Cross Keys Townships; on the northwest by Bogansville Township, from which it is divided by a line running in a northeasterly direction, from a point on Tyger River to the old Lower Fairforest Brick Church site and continuing in a straight line to the beginning corner at the railroad crossing."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

An Act To Provide For The Preparation Of Official Enrollment Books Of Qualified Electors For Jury Purposes In Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. When jury list to be prepared in Dorchester County.—Notwithstanding the provisions of Section 38-52, Code of Laws of South Carolina, 1952, as amended, in Dorchester County the time for the preparation of the jury list shall be between March first and March fifteenth of each year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R35, S78)

No. 19

An Act To Authorize The Clerk Of Court Of Dorchester County To Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dorchester County Clerk of Court may destroy certain chattel mortgages.—Any chattel mortgage over ten years old may be destroyed by the Clerk of Court of Dorchester County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R36, S79)

No. 20

An Act To Provide That The Mayor And Councilmen Of The Town Of Central Pacolet In Spartanburg County Shall Be Elected For Terms Of Two Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for Town of Central Pacolet.—The Mayor and Councilmen of the Town of Central Pacolet in Spartanburg County shall be elected for terms of two years and shall serve until their successors are elected and qualify.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R37, H1058)

No. 21

An Act To Provide Tax Exemptions For Certain Manufacturing Or Processing Establishments In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax exemptions for certain manufactories in Beaufort County.—In Beaufort County all new manufacturing or processing establishments or additions to existing manufacturing or processing establishments shall be exempt from all county taxes, except for school purposes, for five years from the time of the establishment of or addition to such manufacturing or processing establishments if the capital investment shall be not less than one hundred thousand dollars and provides employment for not less than fifteen persons.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R38, H1104)

No. 22

An Act To Ratify The Amendment To Article X, Section 5, Of The Constitution Of South Carolina, 1895, So As To Increase

The Limitation Upon The Bonded Indebtedness Of The School District Of Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 5, Article X, State Constitution, ratified—bonded indebtedness of School District of Williamsburg County may be increased.—The amendment to Article X, Section 5, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution, appearing as No. 1149 of the Acts of 1960, having been submitted to the qualified electors at the General Election in 1960 in the manner prescribed by Section 1 of Article XVI of the Constitution of 1895 and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution and there will be added at the end of Article X, Section 5, of the Constitution of 1895 the following: "*Provided*, that the limitations imposed by this section are removed for the School District of Williamsburg County and such district may impose a bonded indebtedness not exceeding fifteen per cent of the assessed value of the taxable property in the district."

Ratified the 7th day of February, 1961.

(R39, H1141)

No. 23

An Act To Amend Section 23-173, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Fairfield County, So As To Consolidate The Feasterville And Shelton Precincts And To Provide That The Consolidated Precinct Shall Be Known As The Feasterville Precinct And To Reinstate The Horeb Precinct.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-173, 1952 Code, amended—voting precincts in Fairfield County changed.—Section 23-173, Code of Laws of South Carolina, 1952, as amended, is further amended by adding after "Feasterville;" on line 4 of Section 1 of Act 857 of 1960 the following: "Horeb;" and by striking on line 7 "Shelton;" so that when amended the section shall read as follows:

"Section 23-173. In Fairfield County there shall be the following voting precincts: Centerville; Feasterville; Horeb; Mitford; Monti-

cello; Ridgeway; Winnsboro; Woodward; Longtown; Greenbrier; Lebanon; Jenkinsville; Winnsboro Mills; South Winnsboro; New Hope; Blairs; Gladden Grove; Hickory Ridge; White Oak; Simpson; and Blackstock.”

SECTION 2. Where former Shelton voters to vote.—The electors formerly voting at the Shelton precinct shall, in the future, vote at the Feasterville precinct.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R41, H1154)

No. 24

An Act To Repeal Act No. 164 Of The Acts Of 1957 Relating To The Term Of Office For The Auditor Of Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 164 of 1957 repealed.—Act No. 164 of the Acts of 1957 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R42, H1173)

No. 25

An Act To Create The Office Of Master For Dorchester County; To Provide For His Appointment, Term Of Office, Compensation, Duties And Powers; And To Amend Section 10-1405, Code Of Laws Of South Carolina, 1952, And Section 15-501, Code Of Laws Of South Carolina, 1952, As Amended, Providing That The Judge Of Probate Shall Act As Master In Certain Counties, So As To Delete Dorchester County From The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of Master created for Dorchester County.—There is hereby created for Dorchester County the Office of Master.

SECTION 2. Qualifications and appointments.—The master shall be a member of the Dorchester County Bar and shall be a qualified elector of the county. He shall be appointed by the Governor by and with the advice and consent of the Senate.

SECTION 3. Terms and vacancies.—The master shall hold office for a term of two years and the first master appointed under this act shall hold office until July 1, 1962. In the event of a vacancy, a successor for the unexpired term shall be appointed in the same manner as his predecessor was appointed.

SECTION 4. Bond.—Before entering on the duties of his office, the master shall enter into bond in the amount of ten thousand dollars conditioned for the faithful discharge of the duties of the office. The bond shall be subject to the same provisions as to the number and liabilities of sureties and the approval of the form and sufficiency thereof and be filed and recorded in the same office as the bonds of the county officers as prescribed in Section 50-69. The master shall also, before entering upon his duties, comply with Sections 15-1808 and 15-1809.

SECTION 5. Practice of law.—The master, if otherwise qualified, shall be authorized to practice law in all of the courts in this State and the United States except in equity matters in the Court of Common Pleas for Dorchester County.

SECTION 6. Compensation.—The master shall receive such compensation as may be fixed annually in the county appropriations act.

SECTION 7. Referrals.—Notwithstanding the provisions of Sections 10-1405 and 15-501, references in Dorchester County shall be referred to the master.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R43, S16)

No. 26

An Act To Amend Section 32-1201, Code Of Laws Of South Carolina, 1952, Relating To The Analysis Of Public And Certain Other Water Supplies, So As To Delete Provisions Providing For The Publication Of The Results Of The Analyses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-1201, 1952 Code, amended—certain water to be analyzed.—Section 32-1201, Code of Laws of South Carolina, 1952, is amended by adding after the word “analysis” on line 11 a period and striking the remainder of the section, so that when amended the section shall read as follows:

“Section 32-1201. Every person, corporation, commission, municipality or company conducting or operating a public water supply serving municipalities, districts or communities or a quasi-public water supply serving institutions, colleges, hospitals, factories or a business of bottling water to be sold or used for drinking, beverage or medicinal purposes shall have made at least once every three months, at its own expense by a chemist and bacteriologist to be approved by the State Board of Health, a chemical and bacterial analysis of a sample of its water drawn from a faucet used for drinking purposes, packed and shipped in accordance with the instructions to be furnished by the secretary of the State Board of Health, and the result of such examination shall be verified by the chemist and bacteriologist making the analysis.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R44, S18)

No. 27

An Act To Repeal Section 30-306, Code Of Laws Of South Carolina, 1952, Relating To The Signing By Freeholders Of A Petition Before Legislation Amending Laws Regulating The Fencing Of Stock May Be Introduced Because Of Its Obsolescence.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-306, 1952 Code, repealed.—Section 30-306, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R45, S22)

No. 28

An Act To Repeal Section 26-141, Code Of Laws Of South Carolina, 1952, Relating To Receiving Of Farmers' and Planters' Books As Evidence, Which Is Now Obsolete.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 26-141, 1952 Code, repealed.—Section 26-141, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R46, S33)

No. 29

An Act To Repeal Section 13-3, Code Of Laws Of South Carolina, 1952, Setting The Maximum Rates To Be Charged For The Storage Of Cotton.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 13-3, 1952 Code, repealed.—Section 13-3, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R47, H1097)

No. 30

An Act To Repeal Sections 53-581 Through 53-596, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Establishment Of A Rural Police System In Lee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 53-581 through 53-596, 1952 Code, repealed.—Sections 53-581 through 53-596, Code of Laws of South Carolina, 1952, as amended, are repealed.

SECTION 2. Time effective.—This act shall take effect July 1, 1961.

Approved the 9th day of February, 1961.

(R48, H1131)

No. 31

An Act To Ratify The Amendment To Article II, Section 13, Of The Constitution Of South Carolina, 1895, So As To Permit Elections To Be Held In The City Of Myrtle Beach Upon The Question Of Incurring Bonded Debt For Waterworks Or Sewage Disposal Purposes Without There Being First Presented To The City Council Of The City Of Myrtle Beach A Petition Signed By A Majority Of The Freeholders Of The City Seeking And Authorizing The Holding Of Such Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 13, Article II, State Constitution, ratified—City of Myrtle Beach may hold certain elections without petitions.—The amendment to Article II, Section 13, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing as No. 1044 of the Acts of 1960, having been submitted to the qualified electors at the general election in 1960, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Article II, Section 13, of the Constitution of South Carolina, 1895, the following :

"Provided, that the General Assembly need not prescribe any such petition as a condition precedent to the holding of any such election in the City of Myrtle Beach where the proceeds of the bonds are authorized to be used solely for the purpose of enlarging, extending and improving the waterworks system or the sewage disposal system."

Ratified the 8th day of February, 1961.

(R49, H1156)

No. 32

An Act To Provide For The Terms Of Office Of Mayor And Councilmen Of The Town Of Timmons ville.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor for Town of Timmons ville.—The Mayor of the Town of Timmons ville elected in the next ensuing election, and all persons subsequently elected to that office, shall serve for a term of four years and until his successor is duly elected and qualifies.

SECTION 2. Terms of councilmen.—The three candidates for town council in the Town of Timmons ville receiving the highest number of votes in the next ensuing election shall serve for a term of four years and until their successors are duly elected and qualify. The three candidates for town council receiving the next highest number of votes shall serve for a term of two years and until their successors are duly elected and qualify. All subsequent terms of councilmen shall be for a period of four years.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R50, H1161)

No. 33

An Act To Amend Sections 63-271, 63-272 And 63-273, Code Of Laws Of South Carolina, 1952, Relating To The Agricultural

Board Of Fairfield County, So As To Provide For Meetings, Keeping Of Records, Policy Changes And Per Diem Changes Of The Board and to Cancel Any Debt Owed By The Board To The County Or Any Debt Owed By The County To The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 63-271, 1952 Code, amended—Agricultural Board created for Fairfield County—appointments and terms.—

Section 63-271, Code of Laws of South Carolina, 1952, is amended by striking "their actual expenses while in the discharge of their duties" and inserting in lieu thereof "a per diem of five dollars for actually attending regular meetings of the board", so that when amended the section shall read as follows :

"Section 63-271. There is created in Fairfield County an agricultural board consisting of five members who will receive a per diem of five dollars for actually attending regular meetings of the board and shall be appointed by a majority of the county legislative delegation for a term of two years commencing on May thirtieth in each even numbered year."

SECTION 2. Section 63-272, 1952 Code, amended—meetings—records—audits.—

Section 63-272, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following : "The board shall meet quarterly and suitable minutes and records of the activities of the board shall be kept. Any change in the policy of the board shall be by a majority vote of the entire board. The financial condition of the board shall be audited annually and copies of the audit shall be made available for public inspection."

SECTION 3. Section 63-273, 1952 Code, amended—contracts with farmers.—

Section 63-273, Code of Laws of South Carolina, 1952, is amended by adding a period after the word "expenses" on line 5 and by striking the remainder of the section, so that when amended the section shall read as follows :

"Section 63-273. The board shall, in cooperation with the soil conservation service now located at Winnsboro, enter into contracts with farmers for terracing and other aids to lands and contract with the farmers for the use of the equipment owned by the board and fix the price per hour for the use of such equipment. Such price shall be sufficient to pay for all operating expenses."

SECTION 4. Certain debts cancelled.—Any debt owed by the Fairfield Agricultural Board to Fairfield County and any debt owed by Fairfield County to the Agricultural Board are hereby cancelled.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of February, 1961.

(R52, S102)

No. 34

An Act To Amend Act No. 832, Of The Acts Of 1956, As Amended, Relating To The Jasper County Development Board, So As To Change The Composition Of The Board; To Provide For Additional Powers And Duties; And To Repeal Acts Nos. 735 And 899 Of The Acts Of 1958.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 832 of 1956 amended—Jasper County Development Board created—members—terms—vacancies.—Section 1 of Act No. 832 of the Acts of 1956, as amended, is further amended to read as follows:

“Section 1. There is hereby created the Jasper County Development Board which shall be composed of seven members, to be appointed by the Governor upon the recommendation of the Jasper County Legislative Delegation. Their terms of office shall be for two years and until their successors are appointed and qualify. Any vacancy on the board shall be filled for the unexpired term.”

SECTION 2. Section 2 of Act 832 of 1956 amended—officers and meetings.—Section 2 of Act No. 832 of the Acts of 1956, as amended, is further amended to read as follows:

“Section 2. The board shall meet as soon as practicable and organize itself by electing one of its members as chairman and one as secretary and treasurer. Thereafter, the board shall meet at the call of the chairman or a majority of its members. The board shall serve without compensation.”

SECTION 3. Section 3 of Act 832 of 1956 amended—subsection 3(a) added—additional powers and duties.—Section 3 of Act No. 832 of the Acts of 1956, as amended, is further amended by adding the following new subsection, to be 3(a):

"3(a) The board shall have authority to purchase, accept title to, lease or otherwise acquire, in the name of the county, lands, buildings, utilities and other related appurtenances, for the promotion of agricultural, commercial and industrial development of the county. The board shall have the right and authority to enter into contracts in the name of the county which shall promote and develop agriculture, commerce and industry within the county.

No purchase, acquisition of title or lease shall be entered into until funds therefor have been made available. No contract requiring the expenditure of moneys shall be entered into until funds therefor shall have been made available."

SECTION 4. Repeal—Acts 735 and 899 of 1958 repealed.—Acts Nos. 735 and 899 of the Acts of 1958 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R56, H1092)

No. 35

An Act To Amend Act No. 33 Of 1955, As Amended, Relating To The Coverage Of Employees Participating In The South Carolina Retirement System Under Title II Of The Federal Social Security Act, So As To Further Provide For Retroactive Coverage Of Such Employees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subdivision (3), Subsection (a), Section 3 of Act 33 of 1955 amended—effective date for modifications of agreements.—Subdivision (3) of subsection (a) of Section 3 of Act No. 33 of 1955, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein, except that such effective date may be made retroactive only to the extent permitted by the applicable provision of the Social Security Act."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R57, H1093)

No. 36

An Act To Amend Act No. 602 Of 1954, As Amended, Relating To The Coverage Of Employees Of The State And Subdivisions Thereof Under Title II Of The Federal Social Security Act, So As To Further Provide For Retroactive Coverage Of Such Employees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (3) of Section 3 of Act 602 of 1954, amended—effective date for modifications of agreements.—Subsection (3) of Section 3 of Act No. 602 of 1954, as amended, is further amended by striking it out and inserting in lieu thereof the following :

“(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein, except that such effective date may be made retroactive only to the extent permitted by the applicable provision of the Social Security Act.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R61, H1211)

No. 37

An Act To Require The Filing Of A Building Permit With The Clerk Of Court Of McCormick County By Any Person Who

Intends To Construct New Buildings Or Add To Existing Buildings In McCormick County Where The Cost Exceeds Five Hundred Dollars And To Provide An Exception Thereto And A Penalty For Violating The Provisions Hereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in McCormick County.

—Any person who intends to construct any new building or any addition to an existing building in McCormick County where the cost exceeds five hundred dollars shall obtain from the clerk of court of the county a building permit which shall be executed and returned to the clerk before any construction shall commence.

SECTION 2. Form and fee.—The building permit shall be on such form or forms as may be prescribed by the clerk and for issuing the permit the clerk shall charge a fee of one dollar. The permit shall show the estimated cost of the construction and the approximate date of completion.

SECTION 3. Not to apply to certain municipalities.—The provisions of Section 1 of this act shall not be applicable within any municipality within the county where duplicates of such permits as may now be required by the municipality are presently furnished the auditor and the county health department.

SECTION 4. Penalties.—Any person violating Section 1 of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

An Act To Require Any Circus, Carnival Or Traveling Show, Before Exhibiting In Aiken County, To Post A Bond With The

County Health Department To Insure That The Exhibition Grounds Shall Be Left In A Sanitary Condition.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Traveling shows to post bond in Aiken County.—

Before any circus, carnival or other traveling show shall exhibit in Aiken County, the agent of the show or exhibitor shall first post a bond in the sum of fifty dollars with the Aiken County Health Department to insure that at the conclusion of the exhibition the grounds are left in a clean and sanitary condition.

SECTION 2. Refund of bond—conditions.—If after an inspection by the health department the grounds are left in a sanitary condition, the bond shall be refunded; otherwise, all or so much of it as is necessary to defray the cost of cleaning the grounds shall be retained in the discretion of the department.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R65, S58)

No. 39**An Act To Prohibit Hunting From Certain Public Roads In Game Zone No. 3, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hunting from public roads in Game Zone 3 prohibited.—The hunting of all game from public roads in Game Zone No. 3 is prohibited whenever such public roads are adjacent to lands that are posted against trespassing or hunting. The term "hunting" as used herein includes the hunting of deer by occupying stands therefor.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for a period not to exceed thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R66, S80)

No. 40

An Act To Repeal Article 14 Of Chapter 5 Of Title 53, Code Of Laws Of South Carolina, 1952, Relating To The Kershaw County Law Enforcement Board And The Kershaw County Rural Police.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Article 14, Chapter 5, Title 33, 1952 Code, repealed.—Article 14 of Chapter 5 of Title 53, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R67, S81)

No. 41

An Act Creating The Kershaw County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Kershaw County Library created.—There is hereby created an eleemosynary corporation under the control of the State, to be known as the Kershaw County Library, which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointment—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, five in number, to be appointed by the

Kershaw County Legislative Delegation and to serve without pay. The original appointments shall be made as follows: one for a term of one year, two for terms of two years, and two for terms of three years, and until their successors are appointed and qualify. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of three years and until their successors shall be appointed and qualify. Vacancies shall be filled by the appointing power for unexpired terms as they occur. Members of the board shall not serve consecutively for more than two terms, and shall be subject to removal for cause by the appointing power.

SECTION 3. Officers—bonding of—meetings.—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed necessary, and may make rules and regulations for the conduct of its business. The board may require of its chairman, its treasurer and the librarian a suitable bond for the faithful performance of their respective duties. Such bonds shall be paid for from the funds of the library account. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 4. Employ librarian.—The board shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be so employed.

SECTION 5. Powers and duties.—The corporation may, by way of amplification and classification, but without limiting the generality of powers conferred on it by Section 1:

- (1) purchase, lease, hold, and dispose of real estate and personal property;
- (2) acquire books and other informational material and provide for their circulation throughout all sections of the county.
- (3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries;
- (4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals;
- (5) cooperate or enter into contracts with any state or federal agency whereby it will receive substantial aid in carrying out the purposes of the library;

(6) enter into contracts with other counties to operate regional or joint libraries and facilities; and

(7) generally do all things necessary and proper to establish, equip, maintain and operate a county library system.

SECTION 6. Further.—The board shall provide and make available to the citizens of Kershaw County good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board.

SECTION 7. Board members not to contract with board.—No member of the board shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations and expenditures.—Funds for the operation and maintenance of the county library shall be fixed by the annual county appropriations act. The funds appropriated shall be credited to the account of the Kershaw County Library, and approval of the chairman and the treasurer of the board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman and treasurer of the board, such claim or voucher shall constitute a valid obligation against the funds credited to the library account. This account shall be audited each year by the public accountant annually engaged by the grand jury to audit county finances.

SECTION 9. Reports.—The board shall annually, on or before the first of September of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R68, S118)

No. 42

An Act To Amend Act 779 Of 1960, Relating To Assessment And Equalization System Of Taxation In Charleston County, So As To Further Define The Purposes Of The Act; To Specifically Provide For The Right Of Appeal From Actions Of The Charleston County Board Of Assessors Created By The Act; And To Specifically Provide That The Functions Of The Charleston County Board Of Assessors Shall Be Complementary To The Functions Of The South Carolina Tax Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 779 of 1960 amended—Section 1A added—findings of General Assembly.—Act 779 of 1960 is amended by adding after the enacting words new Section 1. A, which shall read as follows:

“Section 1. A. The General Assembly takes note of the fact that much real property in Charleston County has not been assessed and therefore does not appear upon the tax books of the county, and that it is not clear that existing assessments are based upon a uniform method of valuation. It is mindful that Section 1 of Article X of the State Constitution requires that all real property be assessed upon a uniform basis, and that the State Tax Commission exercises state-wide jurisdiction under laws designed to insure the enforcement of the basic constitutional provision. It has found it necessary, however, in order to equalize assessments, to provide a means whereby all real property in Charleston County can be located and valued upon a basis which will result in the uniformity of assessments required by law. To that end it has determined to provide a local administrative agency to be known as the Charleston County Board of Assessors, whose function it shall be to insure that all real property in Charleston County shall be placed upon the tax books and valued upon an equal and uniform basis designed to result in uniformity of assessments. In so enacting, the General Assembly specifically provides that the functions of the Charleston County Board of Assessors shall not be in derogation of powers and functions of the South Carolina Tax Commission, nor remove the right of a property owner to appeal to the State Tax Commission for the relief provided under the general law.”

SECTION 2. Section 1 of Act 779 of 1960 amended—Charleston County Board of Assessors created—members—areas to be ap-

pointed from.—Section 1 of Act 779 of 1960 is amended by adding after “Section 1.” on line 1 “B.”, so that when amended the section shall read as follows:

“Section 1. B. There is hereby created the Charleston County Board of Assessors to be composed of six appointed members and the county auditor, who shall be an ex officio member. Of those appointed, one shall be a resident of that area of the county outside of the City of Charleston lying east of the Cooper River, one member shall be a resident of that area of the county outside of the City of Charleston lying north of the city between the Ashley and the Cooper Rivers, one member shall be a resident of the City of Charleston, one member shall be a resident of that area outside of the City of Charleston lying west of the Ashley River, and two members shall be appointed at large.”

SECTION 3. Section 8 of Act 779 of 1960 amended—appeals—further.—Section 8 of Act 779 of 1960 is amended by adding at the end thereof the following: “*Provided*, that the provisions of this section shall not remove the right of any property owner, believing himself aggrieved, to appeal from the action of the Charleston County Board of Assessors to the South Carolina Tax Commission for such further relief as may be available to him under the general law of South Carolina.”

SECTION 4. Act 779 of 1960 amended—Section 11A added—functions to complement those of Tax Commission.—Act 779 of 1960 is amended by adding after Section 11 new Section 11. A, which shall read as follows:

“Section 11. A. No action herewith authorized shall be taken in violation of any general law, or rule promulgated pursuant to such law, relating to the equality of assessments of real property, it being intended that the function of the Charleston County Board of Assessors shall be complementary to the functions devolved upon the South Carolina Tax Commission by general law and not in derogation thereof.”

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R70, S132)

No. 43

An Act To Amend Section 23-177, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Greenwood County, So As To Further Define Greenwood No. 4.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-177, 1952 Code, amended—Greenwood County voting precincts—Greenwood No. 4 defined.—Notwithstanding the provisions of Section 23-177, Code of Laws of South Carolina, 1952, as amended, the voting precinct in Greenwood County known as Greenwood No. 4 shall be delineated as follows:

“Greenwood No. 4. Beginning at McKellar Street entrance to East Cambridge; then east along the north side of East Cambridge and Northeast Cambridge Extension (Road S-99) to Seaboard Railroad; then east along the north side of Seaboard Railroad to Coronaca Creek; then north on west side of Coronaca Creek to Cokesbury line; then on the south side of Cokesbury line to Grace Street Extension; then south along Grace Street Extension on the east side to Edgewood Avenue; then east center of Edgewood Avenue to North Street; then south along North Street on the east side and along a projection of the same to McKellar Street entrance on East Cambridge.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R71, S101)

No. 44

An Act To Amend Section 65-2134, Code Of Laws Of South Carolina, 1952, Requiring The Tax Collector Of Abbeville County To Deposit All Tax Moneys In The Bank Of Abbeville, So As To Authorize Such Moneys To Be Deposited In A Chartered Bank In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2134, 1952 Code, amended—deposit of Abbeville County tax moneys.—Section 65-2134, Code of Laws of South Carolina, 1952, is amended by striking out the section in its entirety and inserting in lieu thereof the following:

“Section 65-2134. The Tax Collector of Abbeville County shall deposit all tax moneys collected in any chartered bank in the county.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R72, S115)

No. 45

An Act To Provide For The Transfer Or Destruction Of Certain Auditor's Tax Duplicates By The Auditor Of Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Richland County may dispose of Auditor's Tax Duplicates.—The Auditor of Richland County shall offer to the South Carolina Archives Department all Auditor's Tax Duplicates in his custody which are more than ten years old. If these duplicates are not accepted by the Archives Department, he may destroy them.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R73, S117)

No. 46

An Act To Create The Office Of County Attorney In Dorchester County, And To Provide For His Appointment, Term Of Office And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of county attorney created for Dorchester County.—In Dorchester County, there is hereby created the office of county attorney. The attorney shall be appointed by the Governor upon the recommendation of a majority of the legislative delegation. The term of the first appointed attorney shall be until December 31, 1962; thereafter, the term shall be for two years. Any vacancy occurring shall be filled for the unexpired term.

SECTION 2. Duties.—The county attorney shall render legal service and advice to all county officials, boards and departments.

SECTION 3. Expenditures.—No county or public fund shall be paid for legal service or advice by any county officer, board or department except upon written consent of the county legislative delegation.

SECTION 4. Salary.—The county attorney shall receive such salary as shall be provided in the annual county appropriations act.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R75, H1033)

No. 47

An Act To Repeal Section 15-1728, Code Of Laws Of South Carolina, 1952, Relating To Writs Of Dedimus Potestatem.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1728, 1952 Code, repealed.—Section 15-1728, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R76, H1034)

No. 48

An Act To Amend Section 17-306, Code Of Laws Of South Carolina, 1952, Relating To The Discharge Of A Prosecutor On His Own Recognizance, So As To Permit The Discharge Of Witnesses Also And To Provide Clerks' Costs; To Repeal Section 17-307, Code Of Laws Of South Carolina, 1952, Relating To The Discharge Of Witnesses; And To Repeal Section 17-308, Code Of Laws Of South Carolina, 1952, Relating To Clerks' Costs.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 17-306, 1952 Code, amended—certain prosecutors or witnesses may be discharged on their own recognizances.—Section 17-306, Code of Laws of South Carolina, 1952, is amended by striking on lines 1 and 2 the words “resident in the judicial district in which the prosecution is instituted” and inserting in lieu thereof “or witness”. Amend further on line 2 by striking the words “shall have been” and inserting in lieu thereof the word “is”. Amend further by striking on line 3 the words “by reason of his” and inserting in lieu thereof the word “for”. Amend further by adding after the word “prosecute” on line 4 the words “or testify”. Amend further on line 4 by striking the word “the” between the words “of” and “court” and by striking the words “common pleas and”. Amend further by striking on lines 4, 5 and 6 the words “of such district shall have power to discharge such prosecutor on his or her own recognizance upon being satisfied of his inability to give such surety.”, and inserting in lieu thereof the words “in which the case is pending may, in his discretion, discharge such prosecutor or witness on his own recognizance. Clerk’s costs, not to exceed one dollar, may be charged for each such recognizance taken.” The section when amended shall read as follows:

“Section 17-306. When any prosecutor or witness in criminal cases less than capital is committed to jail for inability to give surety on his recognizance to prosecute or testify, the clerk of court of general sessions in which the case is pending may, in his discretion, discharge such prosecutor or witness on his own recognizance. Clerk’s costs, not to exceed one dollar, may be charged for each such recognizance taken.”

SECTION 2. Repeal—Sections 17-307 and 17-308, 1952 Code, repealed.—Sections 17-307 and 17-308, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 3 Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R77, H1035)

No. 49

An Act To Repeal Section 16-315, Code Of Laws Of South Carolina, 1952, Relating To The Burning Of A Wain Or Cart Laden With Coal Or Other Goods And The Burning Of Wood.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 16-315, 1952 Code, repealed.—Section 16-315, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R78, H1039)

No. 50

An Act To Amend Section 17-452, Code Of Laws Of South Carolina, 1952, Relating To The Prosecution Of One Charged As An Accessory Before The Fact, So As To Eliminate A Cross Reference.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 17-452, 1952 Code, amended—where accessories before the fact to be tried.—Section 17-452, Code of Laws of South Carolina, 1952, is amended by striking on line 1 the words “with the offense mentioned in Section 16-2” and inserting in lieu thereof the words “as an accessory before the fact”. Amend further by striking the word “said” on the last line and inserting in lieu thereof the word “the”. The section when amended shall read as follows:

“Section 17-452. A person charged as an accessory before the fact may be indicted, tried and punished in the same court and county in which the principal felon might be indicted and tried, although the

offense of counselling, hiring or procuring the commission of such felony is committed on the high seas or on land outside of the county either within or without the limits of this State.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R79, H1040)

No. 51

An Act To Amend Section 15-1810, Code Of Laws Of South Carolina, 1952, Relating To The Filling Of Vacancies In The Office Of Master, So As To Correct A Typographical Error In The Code.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1810, 1952 Code, amended—vacancies in office of master.—Section 15-1810, Code of Laws of South Carolina, 1952, is amended by striking on line 2 the word “filed” and inserting in lieu thereof the word “filled”, so that when amended the section shall read as follows :

“Section 15-1810. All vacancies in the office of master from death, resignation, removal from the State or any cause whatsoever shall be filled by the appointment of the Governor, by and with the advice and consent of the Senate. The person appointed to such vacancy, if his appointment be approved by the Senate, shall hold his office for four years (except in those counties in which the term of office is only two years, in which such person so appointed shall hold his office for two years) and until his successor is appointed and shall qualify.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R80, H1041)

No. 52

An Act To Amend Section 15-1763, Code Of Laws Of South Carolina, 1952, Relating To Cases For Books And Papers For Offices Of Clerks Of Courts, So As To Delete Therefrom Specific Requirements For The Construction, Labeling And Division Of Such Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1763, 1952 Code, amended—filing cases for clerks of courts.—Section 15-1763, Code of Laws of South Carolina, 1952, is amended by changing the comma after the word “labels” on line 2 and striking the remainder of the section, so that when amended the section shall read as follows:

“Section 15-1763. The office of every clerk shall be furnished with suitable cases with proper partitions for filing papers, under appropriate labels.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R81, H1042)

No. 53

An Act To Repeal Section 15-1762, Code Of Laws Of South Carolina, 1952, Which Provides That The Clerks Of Courts Of Common Pleas Shall Read The Minutes Or Entries Made In The Journal Of The Courts To The Presiding Judge.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1762, 1952 Code, repealed.—Section 15-1762, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R82, H1045)

No. 54

An Act To Amend Section 18-224, Code Of Laws Of South Carolina, 1952, Relating To The Right Of Appeal By Persons Owning Lands Within Drainage Or Levee Districts, So As To Provide That Appeal Bonds May Be Approved By The Clerk Of Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 18-224, 1952 Code, amended—appeals by landowners.—Section 18-224, Code of Laws of South Carolina, 1952, is amended by striking the period at the end thereof and adding the following: “or by the clerk of court.”, so that when amended the section shall read as follows:

“Section 18-224. Any person owning lands within the drainage or levee district which he thinks will not be benefited by the improvement and should not be included in the district may appeal from the decision of the clerk to the court of common pleas of such county, in term time or at chambers, by filing an appeal, accompanied by a bond conditioned for the payment of the costs if the appeal should be decided against him for such sum as the court may require, not exceeding two hundred dollars, signed by two or more solvent sureties or by some approved surety company, to be approved by the court or by the clerk of court.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R83, H1047)

No. 55

An Act To Amend Section 18-569, Code Of Laws Of South Carolina, 1952, Relating To The Sale, Deeds And Title To Certain Delinquent Lands, So As To Delete A Duplicate Provision In The Section Which Resulted From The Splitting Of Section 6179, Code Of Laws Of South Carolina, 1942.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 18-569, 1952 Code, amended—sale—deeds—title.—Section 18-569, Code of Laws of South Carolina, 1952, is amended by striking all of the second paragraph thereof, so that when amended the section shall read as follows:

“Section 18-569. If all the lands so advertised for sale be not sold on the day as advertised such sale shall continue from day to day until completed. The sheriff shall by proper deeds convey to the purchaser the lands so sold and the title to such land shall thereupon become vested in such purchaser as against all others whomsoever, subject, however, to the liens for all subsequent annual installments of drainage tax; *provided*, that any landowner shall have the right to redeem any and all lands sold at such sale within one year after the day when the lands are offered for sale. All deeds executed and delivered pursuant to this chapter shall have the same probative force as deeds executed under judicial sales in other civil actions.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R84, H1049)

No. 56

An Act To Amend Section 19-496, Code Of Laws Of South Carolina, 1952, Relating To The Execution Of Processes By Sheriffs, So As To Add The Provisions Of Section 19-505, Code Of Laws Of South Carolina, 1952, Thereby Consolidating The Two Sections Which Were Unnecessarily Separated; and To Repeal Section 19-505, Code Of Laws Of South Carolina, 1952, Relating To The Method Used To Pay Sheriff's Costs.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 19-496, 1952 Code, amended—sheriffs to serve processes—fees.—Section 19-496, Code of Laws of South Carolina, 1952, is amended by striking the period at the end thereof and adding the following: “; which shall be paid from the proceeds of sale, or by the petitioner.” so that when amended the section shall read as follows:

"Section 19-496. The sheriffs of the several counties in this State are required to serve all processes which may be issued by the probate judge under the provisions of this article for which they shall receive the same fees as are allowed them by law for similar services; which shall be paid from the proceeds of sale, or by the petitioner."

SECTION 2. Repeal—Section 19-505, 1952 Code, repealed.—Section 19-505, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R85, H1036)

No. 57

An Act To Repeal Section 17-106, Code Of Laws Of South Carolina, 1952, Relating To Coroners' Juries Standing Together Until Proclamation Be Made And Evidence Received At Inquests.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 17-106, 1952 Code, repealed.—Section 17-106, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R86, H1038)

No. 58

An Act To Amend Section 15-1184, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Making Additional Persons Parties To Cases Under The Jurisdiction Of The Children's Court Of Certain Counties, So As To Correct A Typographical Error In The Code.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1184, 1952 Code, amended—certain persons may be made parties.—Section 15-1184, Code of Laws of South Carolina, 1952, as amended, is further amended by striking on line 3 the word “case” and inserting in lieu thereof the word “cause”, so that when amended the section shall read as follows:

“Section 15-1184. In furtherance of the complete disposition of cases under the jurisdiction of the children’s court and for the protection of children to whom this chapter is applicable and in connection with the removal of the cause of any delinquency or neglect found by the court to exist in any case, the children’s court may bring in and make parties to any proceedings pending in said court any person:

(1) Who is charged with or alleged to be causing or contributing to the delinquency or neglect of any child actually or apparently under the age of sixteen years if the court be a Domestic Relations Court or seventeen years if it be a Juvenile Domestic Relations Court in violation of law or of the provisions of this chapter; or

(2) Whose presence as a party to the proceedings may be found necessary to a complete determination of the issue therein or the release or remedy which should be granted or decreed therein.

And the children’s court may enjoin and restrain such person from causing or contributing to the delinquency or neglect of any such child and may punish the violation of any such injunction or restraining order under the provisions of Section 15-1200.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

An Act To Amend Section 15-1710, Code Of Laws Of South Carolina, 1952, Relating To Seals Of Office And Blank Books For Various Records To Be Furnished For The Clerks Of Courts' Offices, So As To Delete Therefrom Certain Requirements For The Composition Of The Seal Which Are No Longer Practical.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1710, 1952 Code, amended—clerks to be furnished seal and record books.—Section 15-1710, Code of Laws of South Carolina, 1952, is amended by striking on lines 1 and 2 the following: “, with a proper device, a screw”, so that when amended the section shall read as follows:

“Section 15-1710. Each clerk’s office shall be furnished with a seal of office and such blank books for the various records as may be needed from time to time, to be procured by the clerk and the expenses thereof defrayed by the governing body of the county.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R88, H1044)

No. 60

An Act To Repeal Item (10) Of Section 18-106, Code Of Laws Of South Carolina, 1952, Which Requires Reports To The General Assembly By Sanitary And Drainage Commissions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (10) of Section 18-106, 1952 Code, repealed.—Item (10) of Section 18-106, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R89, H1050)

No. 61

An Act To Amend Section 20-1, Code Of Laws Of South Carolina, 1952, Relating To Persons Who May Lawfully Contract

Matrimony, So As To Substitute The Words "Mentally Incompetent Persons" For The Words "Idiots" And "Lunatics".

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 20-1, 1952 Code, amended—persons who may contract matrimony.—Section 20-1, Code of Laws of South Carolina, 1952, is amended by striking on line 1 the following: "idiots, lunatics" and inserting in lieu thereof the words "mentally incompetent persons", so that when amended the section shall read as follows:

"Section 20-1. All persons, except mentally incompetent persons and persons whose marriage is prohibited by this section, may lawfully contract matrimony.

No man shall marry his mother, grandmother, daughter, granddaughter, stepmother, sister, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister or mother's sister.

No woman shall marry her father, grandfather, son, grandson, stepfather, brother, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother or mother's brother."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R90, H1052)

No. 62

An Act To Amend Sections 23-5, 23-306 And 23-307, Code Of Laws Of South Carolina, 1952, Relating In Part To The Oath Of Office To Be Taken By Certain Officeholders, So As To Delete The Oath With Respect To Dueling.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23-5, 1952 Code, amended—how election of Governor may be contested.—Section 23-5, Code of Laws of South Carolina, 1952, is amended by striking on line 9 the following: “and the oath with respect to dueling,” so that when amended the section shall read as follows:

“Section 23-5. In case of a contest of the election of Governor, if the General Assembly by concurrent resolution shall entertain the same, the Senate and House of Representatives shall, each separately, proceed to hear and determine the facts in the case, so far as they deem necessary, and decide thereon who is entitled to be declared elected. If the two branches of the General Assembly come to the same decision, they shall, by concurrent resolution, declare who is duly elected and entitled to enter upon and exercise the office of Governor; and such person thereupon shall, upon taking the oaths prescribed in the Constitution, be inducted into office. If the two branches of the General Assembly do not come to the same decision, then an election shall be called by the Governor to take place in not less than sixty nor more than ninety days at which the qualified electors shall proceed to vote for a suitable person to fill the office of Governor.”

SECTION 2. Section 23-306, 1952 Code, amended—commissioners and managers of election.—Section 23-306, Code of Laws of South Carolina, 1952, is amended by striking on line 14 the following: “and the oath with respect to dueling”, so that when amended the section shall read as follows:

“Section 23-306. For the purpose of carrying on the elections provided for in Section 23-302 the Governor shall, at least thirty days prior to any such election, appoint for each county three commissioners of election upon the recommendation of the Senator and at least half of the members of the House of Representatives from the respective counties. Such commissioners shall continue in office until their successors are appointed and qualified. The commissioners of election shall appoint three managers of election for each polling place at each election precinct of the county for which they shall respectively be appointed and none of such officers shall be removed from office except for incompetence or misconduct. Three additional managers of election may be appointed for any polling place at which seven hundred and fifty or more registered electors are entitled to vote. The commissioners and managers shall take and subscribe, before any officer authorized to administer oaths, the oath of office

prescribed by Section 26 of Article III of the Constitution and they shall be immediately filed in the office of the clerk of court of common pleas of the county in which such commissioners and managers shall be appointed or, if there be no such clerk, in the office of the Secretary of State."

SECTION 3. Section 23-307, 1952 Code, amended—appoint clerk—organization of board.—Section 23-307, Code of Laws of South Carolina, 1952, is amended by striking on line 3 the following: "and the oath with regard to dueling", so that when amended the section shall read as follows:

"Section 23-307. The managers may appoint a clerk to assist them in their duties, who shall take the oath of office prescribed by Section 26 of Article III of the Constitution before the chairman of the board of managers. The commissioners and managers at their first meeting, respectively, shall proceed to organize as a board by appointing one of their number chairman of the board. And such chairman, in each instance, may administer oaths."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R91, H1053)

No. 63

An Act To Amend Subparagraph (b) Of Section 23-62, Code Of Laws Of South Carolina, 1952, Relating To Qualifications For Registration, By Substituting The Words "Mentally Incompetent" For The Words "Idiots Or Insane".

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subparagraph (b) of Section 23-62, 1952 Code, amended—certain persons not eligible to vote.—Subparagraph (b) of Section 23-62, Code of Laws of South Carolina, 1952, is amended by striking on line 1 the words "idiots or insane" and inserting in lieu thereof the words "mentally incompetent", so that when amended the subparagraph shall read as follows:

“(b) Persons who are mentally incompetent, paupers supported at the public expense and persons confined in any public prison shall be disqualified from being registered or voting and;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R92, H1123)

No. 64

An Act To Amend Subitem (c) Of Item (1) Of Subsection B Of Section 12 Of Part II Of Act No. 140 Of 1959, As Amended, Relating To Withholding Of Taxes Of Certain Nonresident Contractors, So As To Correct A Typographical Error.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subitem (c), Item (1), Subsection B, Section 12, Part II of Act 140 of 1959, amended—withholding taxes of certain nonresident contractors.—Subitem (c) of Item (1) of Subsection B of Section 12 of Part II of Act No. 140 of 1959, as last amended by Section 5 of Act No. 689 of 1960, is further amended by deleting “(b)” on line 6 and inserting in lieu thereof “(c)”, so that when amended subitem (c) shall read as follows:

“(c) hiring or contracting or having a contract with any nonresident taxpayer conducting a business of a temporary nature carried on within this State, where such contract exceeds ten thousand dollars or could reasonably be expected to exceed ten thousand dollars, shall withhold two per cent of each and every payment made to such nonresidents. The conditions set forth in Subsection B (1) (c) may be waived by the South Carolina Tax Commission, provided the payee shall insure the Tax Commission by bond, secured by an insurance company licensed by the South Carolina Insurance Commission, or deposit of securities subject to approval by the State Treasurer, or cash which shall not bear interest, that the payee will comply with all applicable provisions of the Income Tax Act of 1926, as amended, and with the withholding requirements insofar as his obligations as a withholding agent is concerned.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R93, H1129)

No. 65

An Act To Create The Mullins Rescue Squad In Marion County And To Provide Penalties For Persons Interfering With The Duties Of Such Squad.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Mullins Rescue Squad established.—There is hereby established the Mullins Rescue Squad in Marion County to consist of the present membership of the Mullins Rescue Squad as now constituted, the names of the members to be filed in the office of the Clerk of Court of Marion County.

SECTION 2. Officers—powers and duties.—The Squad shall have the authority to elect officers and directors who shall determine the requirements of membership and shall have the right to prescribe the duties and responsibilities of the Squad not inconsistent with the provisions herein. The members of the Rescue Squad shall have the general responsibility and duty of carrying out rescue operations and assisting civil and military authorities in times of emergency.

SECTION 3. Members may direct traffic and enforce laws.—All members of the Mullins Rescue Squad in Marion County may direct and control traffic at the scene of any emergency in a rural area of the county and enforce such laws of this State as would prevent interference with members of the Rescue Squad in the discharge of their duties.

SECTION 4. Penalties.—It shall be unlawful to interfere with a member of the Rescue Squad in the discharge of his duties or to interfere with any of the equipment being used in conjunction with such duties. Any person violating the provisions of this act shall, upon conviction, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R94, H1202)

No. 66

An Act To Create The Richland-Lexington Airport District; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of The District Not Exceeding Two Million Seven Hundred Thousand Dollars; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed By The District And To Make Provision For Its Payment; To Provide For The Reimbursement Of The District For Its Capital Outlays By Richland County, Lexington County, And The City Of Columbia To The Extent Herein Provided; To Provide For The Application For And Use Of Funds Which May Be Allocated To The District By The Federal, State Or Other Governments And To Provide For The Continuing Operation Of The Facilities Of The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the public interest requires the establishment of a large modern airport, capable of providing service for all modern air transport in the general area wherein the Columbia Airport is now situate, in order to provide for the needs of the residents of the Counties of Richland and Lexington. The General Assembly further finds that the City of Columbia, the County of Richland, and the County of Lexington will each derive special benefit from the establishment and maintenance of an airport, and for that reason should contribute annually to the basic cost of establishing such an airport to the extent required by this act. It has, therefore, determined to constitute all of the territory embraced by the

Counties of Richland and Lexington into an airport district, to commit to such district the function of constructing, operating, and maintaining, and from time to time enlarging and improving an airport of suitable size and with suitable equipment to enable all types of air transport to utilize the same, to authorize the airport district to finance all costs that might be incurred by it in the construction and establishment of such an airport through the issuance of general obligation bonds of the airport district, but at the same time require each of Richland County, Lexington County, and the City of Columbia to reimburse the airport district for the benefits each of the units will receive, to the end result that the airport district will be reimbursed for its capital outlays to the extent herein prescribed. In reaching the findings herein, the General Assembly takes note of the fact that it has caused appropriate investigation to be made of all facets of the problem here sought to be remedied, and has found that the authorizations and conditions set forth in this act are fair and equitable and are in all respects promotive of the welfare of Richland County, Lexington County, and the City of Columbia.

SECTION 2. Richland-Lexington Airport District created.—

The territory embraced by the Counties of Richland and Lexington is hereby constituted an airport district and a political subdivision of this State, the functions of which shall be public and governmental, and the inhabitants of the territory are hereby constituted a body politic and corporate. The corporate name of the airport district shall be Richland-Lexington Airport District, and by that name the airport district may sue and be sued.

SECTION 3. To be governed by a commission—members—appointments—terms—vacancies.—The corporate powers and duties of the Richland-Lexington Airport District shall be exercised and performed by a commission to be known as Richland-Lexington Airport Commission. The commission shall be composed of six members to be appointed by the Governor as follows: two members shall be appointed upon the recommendation of the Senator and a majority of the Lexington County Legislative Delegation; two members shall be appointed upon the recommendation of the Senator and a majority of the Richland County Legislative Delegation; and two members shall be appointed upon the recommendation of the City Council of the City of Columbia. Of those initially appointed, three shall hold office for two year terms and three shall hold office for four year terms, and each recommending agency shall designate in the written rec-

ommendation to be made to the Governor which of the two recommended by such body has been recommended for the two year term, and which has been recommended for the four year term. All terms of office shall commence on the first day of the month following the approval of this act by the Governor, and shall extend until the appropriate anniversary of such date. Upon the expiration of each term of office, a successor shall be appointed in the manner of original appointment for a four year term. In the event of a vacancy in office, a successor shall be appointed in the manner of original appointment for the balance of the unexpired term. Notwithstanding the expiration of the term of office of any member, he shall continue to serve until his successor shall have been recommended, appointed, and qualified, but any delay in appointing a successor shall not extend the term of such successor. The members of the commission shall serve without compensation, except for their actual and necessary expenses while in performance of duties prescribed under this act.

SECTION 4. Officers.—The commission shall appoint one of its members as chairman, one of its members as vice chairman, and one of its members, or any other competent person, as secretary of the commission. The chairman of the commission shall serve for a term of two years and until his successor is appointed and qualified. The vice chairman shall likewise serve for a term of two years and until his successor is appointed and qualified. The office of chairman of the commission shall be rotated among the representatives of the three constituent appointing public bodies, so that a representative appointed by each constituent agency shall hold office as chairman for a term of two years, and the first chairman so appointed and serving shall then be succeeded by a representative appointed by a second of the two remaining constituent appointing bodies. Upon the expiration of the second two year term, a representative of the third appointing body shall be elected as chairman to hold office for a term of two years. The pattern of rotation as thus established shall continue in order that no representative of any of the three constituent appointing bodies shall hold office for a full two year term unless two full intervening terms shall have expired. In the event that the office of chairman shall become vacant, the duties of the chairman shall be temporarily performed by the vice chairman, but a successor shall be appointed as expeditiously as possible from the members representing the same constituent public body as did the former chairman

who shall have failed to complete his term. Insofar as is practicable, the same scheme of rotation shall be applied to the office of vice chairman, but the practice of rotating the office of vice chairman may be dispensed with, in the event that the commission, by a two-thirds vote, shall find that the rotation of office is impracticable. Office on the commission shall be deemed an office of honor within the meaning of the provision of Section 2 of Article II of the Constitution of South Carolina. The secretary of the commission shall have such term as shall be fixed by the commission.

SECTION 5. Powers and duties.—There is hereby committed to the commission the functions of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing an airport and air navigation facility to serve the people of the Richland-Lexington Airport District and the public generally. To this end, the commission shall be empowered:

1. To have and enjoy perpetual succession.
2. To adopt, use and alter a corporate seal.
3. To make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings, which shall require the presence of at least four members. Adequate notification of all meetings and the time and place shall be given to each member in writing.
4. To plan, establish, develop, construct, enlarge, improve, maintain (which term shall include, here as hereafter, the power to establish a reasonable reserve for maintenance), equip, operate, regulate, protect and police its airport and air navigation facility under such reasonable rules and regulations as the commission may from time to time promulgate.
5. To maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations, and other facilities of whatever nature or kind for the comfort and accommodation of air travelers and air freight; to purchase and sell supplies, goods and commodities as an incident to the operation of its airport facilities; and for all such purposes, the commission may, by purchase, gift, devise, lease, eminent domain proceedings, or otherwise, acquire, hold, develop, use, lease, mortgage, sell, transfer, and dispose of any property, real, or personal, or any interest therein, including easements in airport hazards, or land outside the boundaries of its airport or airport site, necessary to permit the removal, elimi-

nation, obstruction-marking or obstruction-lighting, of airport hazards, or to prevent the establishment of airport hazards.

6. To license, lease, rent, sell or otherwise provide for the use of any of its airport facilities, and facilities auxiliary thereto, including the privilege of supplying goods, commodities, things, services or facilities at such airport by itself or by any persons or corporations qualified therefor, on such terms and conditions as its discretion may dictate; *provided* that in no case shall the public be deprived of its rightful, equal, and uniform use of its airport and air navigation facility.

7. To place in effect, and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of its airport facility; *provided* that all such rates and charges shall be reasonable and non-discriminatory; *provided*, further, that the provisions of this section shall not be construed to be in conflict with the provisions of paragraph 6, *supra*, which authorize the leasing of land and buildings auxiliary to its airport facility.

8. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Act No. 225 of the Acts of 1953, as such statute is now constituted, or as the same from time to time may be amended. All powers conferred on municipalities under Act No. 225 are conferred hereby on the Richland-Lexington Airport Commission.

9. To appoint officers, agents, employees and servants, and to prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing the rules and regulations promulgated pursuant to the provisions of this act, to fix their compensation, and to determine if, and to what extent they shall be bonded for the faithful performance of their duties.

10. To employ engineers, architects and attorneys, and to contract for such other services of a technical or professional nature as may be necessary or desirable to the performance of the duties of the commission.

11. To make contracts for the construction, erection, maintenance and repair of the facilities in its charge, by competitive bidding, after ten days published notice, if such contracts are in excess of ten thousand dollars; if the contracts are less than ten thousand dollars, then to enter into such contracts without competitive bids.

12. To deposit monies derived from the sale of any bonds authorized to be issued under the provisions of this act or from revenue-producing facilities in any bank or trust company having an office within the district, and to withdraw the same for the purpose of operating, maintaining, constructing, improving and extending any facility in its charge.

13. To apply for, accept, receive, receipt for, disburse, and expend Federal, State, county, or municipal monies and other monies, public or private, made available by grant or loan, or both, to accomplish, in whole or in part, any of the purposes of this act, and to this end, to continue to prosecute any application heretofore filed with the Federal Aviation Agency, or any other Federal agency, by the City of Columbia, and to pay from the funds of the district any costs hereafter incurred for any services rendered, since the date the application was filed, in connection with the procuring or processing of the application which is found by the commission to legitimately inure to the benefit of the Richland-Lexington Airport District. All Federal monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the United States, and as are consistent with State law; and all other monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the State or other sources thereof.

14. To accept donations of all sorts, including a deed of conveyance by Lexington County of its right, title, and interest in and to lands intended to form the site of the airport facility to be constructed by the district, and to accept from the City of Columbia a relinquishment of any leasehold interest or estate now possessed by the City of Columbia.

15. To issue under the conditions prescribed in paragraph 17 of this section, general obligation bonds of the district in an amount not exceeding two million seven hundred thousand dollars.

16. In addition to the powers given by paragraph 15 of this section, to borrow on behalf of the district, money, and to make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility, or facilities, in its charge. The sums borrowed may be those needed to pay costs incident to the operation and maintenance of its airport facility, or such sums as may be needed to pay the costs of any extension, addition or improvement to its airport facility, or both. If the method of financing authorized

by this paragraph is used, neither the faith and credit of the State of South Carolina, nor of any county lying within the district, nor of the district itself, shall be pledged to the payment of the principal and interest of the obligations, and there shall be on the face of such obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. In order that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, Code of Laws of South Carolina, 1952, as now and hereafter amended, and Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter amended. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provisions, the district may:

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility or facilities, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal and interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also all revenues derived from the operation of the revenue-producing facility whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by resolutions adopted by the commission as an incident to the issuance of any notes, bonds, or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without a pre-

mium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of principal and interest of any obligation shall be in a fixed amount.

(g) Covenant and agree that it will not enter into any agreements with any person, firm, corporation or with the government of this State, the United States, or any of the political subdivisions of the same, for the furnishing of free services where such services are ordinarily charged for.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the evidences of default and conditions upon which all or any obligation shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

17. The commission, on behalf of the district, shall be empowered to issue not exceeding two million seven hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing an airport facility with the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, (in addition to such property as may be conveyed to the district by Lexington County and the City of Columbia), which are deemed necessary for the construction and use of runways, terminal buildings, maintenance shops, freight depots, service establishments, and any and all facilities incident, or in anywise appurtenant, to an airport facility, and all machinery and equipment needed therefor, payments to contractors, laborers, or others, for work done or material furnished, financing charges, interest incurred in connection therewith, interest on the bonds herewith authorized for not exceeding eighteen months, cost of engineering services, architectural services, legal services, legal and engineering expenses, plans, specifications, surveys, projections, drawings, brochures, administrative expenses and such other expenses as may be necessary or incident to the construction and operation of an airport facility within the district, hereafter incurred, for the purposes for which the district is created. All or any general obligation bonds issued pursuant to this

paragraph shall conform to the following specifications and be subject to the following procedures:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine, and bonds of any issue shall mature in such equal or unequal instalments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and they shall bear interest at such rate or rates, and shall be payable in such manner as the commission may determine. The bonds may be issued with the privilege of having them registered as to principal on the books of the commission and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity, on such terms and conditions and with such redemption premium as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale. At least ten days prior to any sale, notice announcing the intention to receive bids for sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(d) Such bonds shall be executed in the name of the district by the chairman and the secretary of the commission under the seal of the district. Coupons attached to such bonds may be authenticated by facsimile signatures of the chairman and the secretary of the commission who are in office on the date of the adoption of the resolution authorizing the issuance of the bonds.

(e) The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution and authentication.

(f) There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the district. Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied on all taxable property in the district an annual tax ad valorem sufficient to pay

the principal and interest of all bonds issued under this act as such principal and interest becomes due. The tax shall be annually levied by the Comptroller General of South Carolina and collected by the County Treasurers of Richland and Lexington Counties at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay the same to the State Treasurer in the manner and within the time heretofore provided by law for the payment of State taxes to the State Treasurer, who shall set them apart in a special fund and apply them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this paragraph shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which moneys produced by such levy will come into the hands of the State Treasurer, as reduced by the anticipated balance of funds actually in the hands of the State Treasurer, on the occasion when it becomes necessary to fix such tax levy, produced by: (a) additional collections from such levies made in prior years; (b) net revenues derived by the commission from the operation of its facilities not required to meet costs of operating, maintaining, enlarging and improving its facilities, or to discharge covenants securing bonds issued pursuant to paragraph 16; and (c) the amounts paid to the State Treasurer by Richland County, Lexington County and the City of Columbia pursuant to the mandate of the provisions of Section 6, *infra*. When all principal and interest of outstanding bonds has been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this paragraph to the general fund of the commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the district's airport facilities.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund, and shall be subject to transfer, upon warrants or orders of the commission, to any bank or trust company having an office within the district, to be expended by the commission for the purposes specified herein, and no others; *provided*, however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first instalment of principal becoming due on the bonds, and any accrued interest received shall be applied by the State Treasurer

to the first instalment of interest becoming due on the bonds. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sales.

18. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 6. Obligations of Richland County, Lexington County and City of Columbia concerning bond issues.—Following any sale of general obligation bonds by the district, and prior to the actual delivery of any general obligation bonds of the airport district, Richland County, Lexington County, and the City of Columbia shall each make, execute and deliver to the State Treasurer for the airport district its respective note, by which each of Richland County, Lexington County, and the City of Columbia shall become obligated to pay to the airport district a sum equal to one-third of the aggregate principal amount of general obligation bonds then to be issued by the airport district. Such notes shall be payable in instalments equal to one-third of the instalment of the bonds to be issued by the district, and shall bear interest at the same rate as shall be borne by the general obligation bonds of the airport district. Such instalment of principal and interest to be paid by each of Richland County, Lexington County, and the City of Columbia shall fall due fifteen days prior to the dates on which corresponding instalments of principal and interest of the general obligation bonds of the district fall due. Any premium received by the district on the sale of any bonds shall be equally apportioned in such way as to reduce the first instalment of principal payable to the district. The notes of Richland County, Lexington County, and the City of Columbia shall constitute special obligations, and be payable from, and be a fixed charge upon the monies to be received of Richland County, Lexington County, and the City of Columbia from the annual distributions made by the State of South Carolina to counties and municipalities from its receipts from the taxes levied by the State of South Carolina on alcoholic beverages, beer and wine, and on personal and corporate incomes. Prior to the occasion that the general obligation bonds of the district are issued, the appropriate State officials in charge of effecting such disbursements shall be notified of the extent of the obligation incurred by each of Richland County, Lexington County, and the City of Columbia to the airport district; and such State officials shall be directed to withhold from the first monies to be paid from such sources to each

of Richland County, Lexington County, and the City of Columbia during each fiscal year, the aggregate of principal and interest due or to become due by each of Richland County, Lexington County, and the City of Columbia on their respective notes during such fiscal year, and shall transmit such monies to the State Treasurer, who shall cause the same to be deposited in the special fund established by subparagraph (f) of paragraph 17 of Section 5 of this act, and applied to the payment of the principal and interest of the general obligation bonds of the airport district. *Provided*, that upon notification from the State Treasurer that any of Richland County, Lexington County, or the City of Columbia, have paid to the State Treasurer the aggregate of principal and interest due, or to become due, by such obligor, in such fiscal year, then the withholding required by the State officials in charge of effecting such disbursements, may be omitted as to any obligor thus discharging its annual obligation.

Inasmuch as it is the legislative intent that the airport district be reimbursed only to the extent that it would—in the absence of the payments to be made to it by Richland County, Lexington County, and the City of Columbia—levy ad valorem taxes to meet the payment of the principal and interest of its general obligation bonds, and inasmuch as such ad valorem tax levy may be reduced in one or more years by surplus operating revenue not required for maintaining, operating, enlarging and improving the airport facilities of the airport district, if it shall occur that the State Treasurer shall in any year receive monies from this source (*i.e.*, operating revenue of the airport district), then an appropriate credit therefor, equally apportioned, shall be given to the payments otherwise to become due by Richland County, Lexington County, and the City of Columbia, on their respective notes.

The sufficiency of the obligations of Richland County, Lexington County, and the City of Columbia, required to be delivered to the airport district for their intended purpose, shall not affect in any manner the absolute obligation of the airport district on its general obligation bonds, it being expressly recognized that the obligations of Richland County, Lexington County, and the City of Columbia are special in nature and payable from specific funds which might prove insufficient to discharge such obligations.

SECTION 7. Use of revenues.—All revenues derived by the commission from the operation of any revenue-producing facility which may not be required to operate, maintain, enlarge and improve its

airport facilities, or to pay obligations incurred in the issuance of any revenue bonds sold pursuant to the authorizations of paragraph 16, Section 5, *supra*, shall be paid over to the State Treasurer, and held by him for the payment of interest and principal of general obligation bonds of the district.

SECTION 8. Rates not to be regulated.—The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, commission, board or other like instrumentality or agency thereof.

SECTION 9. Exempt from taxes.—Property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 10. Powers not diminished until debt paid.—So long as the district shall be indebted to any person, firm or corporation on any bonds, notes, or other obligations issued pursuant to the authority of this act, provisions of this act and the powers granted to the district and the commission shall not be in any way diminished and the provisions of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 11. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of February, 1961.

An Act To Amend Act No. 820 Of The Acts Of 1960, Relating To School Districts Of Bamberg County, So As To Further Provide For The Proration Of Cash Between The Districts, And To

Further Provide For Applications For Funds For Building Projects.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 4 of Act 820 of 1960 amended—cash to be prorated among districts.—Section 4 of Act No. 820 of the Acts of 1960 is amended by striking from the second sentence the following: “future entitlements resulting from allocations by the State Educational Finance Commission shall be equitably proportioned, but” so that, when so amended, Section 4 shall read as follows:

“Section 4. All cash on hand applicable for school operations and all cash received from taxes levied for school operating purposes for all fiscal years preceding that next ensuing shall be prorated between the school districts herein created, in proportion to their latest official assessments. Similarly, bonded debt of the school district shall become the sole obligation of Ehrhardt School District No. 3. It shall be entitled to all sinking funds and all moneys deriving from taxes levied for the payment of the principal and interest on such bonded debt. In so providing, the General Assembly has ascertained that the only debt of former School District No. 1 was a debt which it assumed upon its creation. Such debt has been the debt of a school district whose area lies wholly within Ehrhardt School District No. 3 which is created herein. As a consequence, it has been determined that it is equitable and just that the debt be restored to the area originally incurring the debt.”

SECTION 2. Act 820 of 1960 amended—Section 5-A added—former Bamberg District 1 to be considered as single unit—applications for building projects.—Act No. 820 of the Acts of 1960 is amended by adding a new section, to be designated Section 5-A, to read as follows:

“Section 5-A. Notwithstanding the creation herein of Ehrhardt School District No. 3, the State Educational Finance Commission shall continue to recognize the total area of former Bamberg School District No. 1 as a single district or operating unit, without regard to the separation of a part of its area into Ehrhardt School District No. 3. Applications to the Commission for funds for building projects for either of the two districts shall be made directly by the Bamberg County Board of Education, in lieu of being initiated by the District Boards of Trustees.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R97, H1232)

No. 68

An Act To Provide For The Governing Body Of The Town Of Bowman In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Governing body for Town of Bowman.—Notwithstanding any other provisions of law, the Town of Bowman in Orangeburg County shall be governed by a mayor and four aldermen.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R98, H1233)

No. 69

An Act To Amend Act 800 Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By The City Of Myrtle Beach And The Town Of Ocean Drive Beach In Horry County, So As To Include The Town Of Crescent Beach Under The Provisions Thereof And To Make The Lien Created By The Act Apply As In Cases Involving Liens For Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 800 of 1960 amended—municipalities in Horry County may clean up vacant lots—assess owners.—Section 1 of Act 800 of 1960, as amended, is further amended by striking on line 8 of Section 1 of Act 855 of 1960 the

word "and" and inserting a comma and by adding on line 9 after the word "Beach" "and the Town of Crescent Beach" and by striking the period at the end thereof and inserting "as in cases involving liens for taxes.", so that when amended the section shall read as follows: "Section 1. The City of Myrtle Beach, the Town of Ocean Drive Beach and the Town of Crescent Beach in Horry County, ten days after sending notice to the owner of any vacant lot within the corporate limits of the city or town that the city or town has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot, if the owner has not done so, and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R100, H1235)

No. 70

An Act To Provide For The Preparation Of The Official Enrollment Books Of Qualified Electors For Jury Purposes In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. When jury list to be prepared in Horry County.—Notwithstanding the provisions of Section 38-52, Code of Laws of South Carolina, 1952, in Horry County the time for the preparation of the jury list as therein authorized and directed shall be in the month of July of each year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R102, H1248)

No. 71

An Act To Empower The City Council Of The City Of Myrtle Beach To Order Special Elections To Determine If Myrtle Beach May Issue General Obligation Bonds Whose Proceeds Are To Be Used Solely For The Purpose Of Enlarging, Extending And Improving The Waterworks System Or The Sewage Disposal System Of The City Of Myrtle Beach, Pursuant To The Municipal Bond Act, Sections 47-831 To 47-860, Code Of Laws Of South Carolina, 1952, Inclusive, Without First Receiving A Petition Signed By A Majority Of The Freeholders Of The City.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that by Act No. 1044 of the Acts and Joint Resolutions of South Carolina, 1960, it was proposed that Section 13 of Article II of the Constitution of South Carolina, 1895, be specially amended so as to provide that the General Assembly need not prescribe, as a condition precedent to the holding of elections on the question of the issuance of general obligation bonds of the City of Myrtle Beach, a petition signed by a majority of the freeholders in the city as shown by its tax books requesting such elections. The proposal contemplated by such Joint Resolution was submitted to the qualified electors of South Carolina in the general election held on November 8, 1960, and was voted upon favorably. By Act entitled "AN ACT TO RATIFY THE AMENDMENT TO ARTICLE II, SECTION 13, OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, SO AS TO PERMIT ELECTIONS TO BE HELD IN THE CITY OF MYRTLE BEACH UPON THE QUESTION OF INCURRING BONDED DEBT FOR WATERWORKS OR SEWAGE DISPOSAL PURPOSES WITHOUT THERE BEING FIRST PRESENTED TO THE CITY COUNCIL OF THE CITY OF MYRTLE BEACH A PETITION SIGNED BY A MAJORITY OF THE FREEHOLDERS OF THE CITY SEEKING AND AUTHORIZING THE HOLDING OF SUCH ELECTIONS", the Constitutional Amendment has been ratified, and as a consequence the General Assembly need no longer prescribe as a condition precedent to the holding of elections in the City of Myrtle Beach for the purpose of issuing general obligation bonds whose proceeds are to be used solely for the purpose of enlarging, extending and improving the

Waterworks System or the Sewage Disposal System of the City of Myrtle Beach, that a petition signed by a majority of the freeholders of the city be first presented to city council.

The General Assembly takes further note of the fact that due to many nonresident freeholders, the requirement of such a petition would impose an unusual burden upon the City of Myrtle Beach, and it has, therefore, determined to declare that Myrtle Beach may proceed under special constitutional and statutory provisions, the latter being the Municipal Bond Act, codified as Sections 47-831 to 47-860, Code of Laws of South Carolina, 1952, inclusive, to issue general obligation bonds, whose proceeds are to be used solely for the purpose of enlarging, extending and improving the Waterworks System or the Sewage Disposal System of the City of Myrtle Beach, without the necessity of first having presented to the city council a petition signed by a majority of the freeholders of the city as shown by its tax books.

SECTION 2. City of Myrtle Beach may hold certain elections without petitions.—The provision of Section 47-835, Code of Laws of South Carolina, 1952, requiring that a petition signed by a majority of the freeholders be first presented to the City Council of Myrtle Beach before it may order an election upon the question of issuing general obligation bonds, whose proceeds are to be used solely for the purpose of enlarging, extending and improving the Waterworks System or the Sewage Disposal System of the City of Myrtle Beach, is herewith dispensed with, and the City Council of the City of Myrtle Beach is hereby fully empowered to avail itself of all other authorizations in the Municipal Bond Act to order the election required thereby and to effect the issuance of bonds pursuant thereto, without first receiving a petition signed by a majority of the freeholders of the city seeking such election.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R104, H1256)

No. 72

An Act To Amend Paragraph (3) Of Section 15-277, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Court In Laurens County, So As To Provide That The Court Of Common Pleas Shall Be Held At Laurens On The Second Monday In March For One Week.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraph (3) of Section 15-277, 1952 Code, amended—terms of court for Laurens County.—Paragraph (3) of Section 15-277, Code of Laws of South Carolina, 1952, as amended, is further amended by striking on line 10 of Act 247 of 1953, the word “and”, which is the first word on the line, and inserting in lieu thereof the following: “for one week,” so that when amended the paragraph shall read as follows:

“(3) Laurens County. The court of general sessions for Laurens County shall be held at Laurens on the third Monday in February, the second Monday in June, the fourth Monday in September and the second Monday in November. The court of common pleas for said county shall be held at Laurens on the second Monday in March for one week, the second Monday in May for two weeks, and on the fourth Monday in October for two weeks.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R108, S120)

No. 73

An Act To Provide For The Terms Of Office Of Magistrates For Saluda County, And To Repeal Act No. 611 Of The Acts Of 1960, Relating To The Terms Of Office Of Magistrates For Saluda County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of office for Saluda County magistrates.—In Saluda County the terms of office of all magistrates now holding

office, or hereafter to be appointed, shall expire on December 31, 1964. Thereafter, the terms of office shall be for four years and any vacancy occurring shall be filled for the unexpired term.

SECTION 2. Repeal—Act 611 of 1960 repealed.—Act No. 611 of the Acts of 1960 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R109, H1165)

No. 74

An Act Creating The Allendale County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Allendale County Library created.—There is hereby created an eleemosynary corporation under the control of the State, to be known as the Allendale County Library, which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointments—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, nine in number, to be appointed by the Governor upon the recommendation of a majority of the Allendale County Legislative Delegation and to serve without pay. The original appointments shall be made as follows: two for terms of one year, two for terms of two years, two for terms of three years, and three for terms of four years, and until their successors are appointed and qualify. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of four years and until their successors shall be appointed and qualify. Vacancies shall be filled by the appointing power for unexpired terms as they occur. Members of the board shall not serve consecutively for more than two terms, and shall be subject to removal for cause by the appointing power.

SECTION 3. Officers—bonding of—meetings.—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed necessary, and may make rules and regulations for the conduct of its business. The board may require of its chairman, its treasurer and the librarian a suitable bond for the faithful performance of their respective duties. Such bonds shall be paid for from the funds of the library account. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 4. Employ librarian.—The board shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure.

SECTION 5. Powers and duties.—The corporation may, by way of amplification and classification, but without limiting the generality of powers conferred on it by Section 1:

(1) purchase, lease, hold, and dispose of real estate and personal property;

(2) acquire books and other informational material and provide for their circulation throughout all sections of the county;

(3) accept donations of land, services, materials, books, and other things for the establishment and equipping of libraries;

(4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings, and other library facilities in commemoration of individuals;

(5) cooperate or enter into contracts with any state or federal agency whereby it will receive substantial aid in carrying out the purposes of the library;

(6) enter into contracts with other counties to operate regional or joint libraries and facilities; and

(7) generally do all things necessary and proper to establish, equip, maintain and operate a county library system.

SECTION 6. Further.—The board shall provide and make available to the citizens of Allendale County good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board.

SECTION 7. Board members not to contract with board.—No member of the board shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations and expenditures.—Funds for the operation and maintenance of the county library shall be fixed by the annual county appropriations act. The funds appropriated shall be credited to the account of the Allendale County Library, and approval of the chairman and the treasurer of the board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman and treasurer of the board, such claim or voucher shall constitute a valid obligation against the funds credited to the library account. This account shall be audited each year by the public accountant annually engaged by the grand jury to audit county finances.

SECTION 9. Reports.—The board shall annually, on or before the first of September of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and book-mobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

An Act To Provide For A Property Board For McCormick County And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property Board created for McCormick County—appointments—terms—vacancies.—There is hereby created a Property Board for McCormick County, to consist of three members who shall be residents of McCormick County, to be appointed by the Governor upon the recommendation of the County Legislative Delegation. Each person appointed to the board shall hold office for a term of four years and until his successor is appointed and qualifies; *provided*, however, that the County Attorney for McCormick County shall serve ex officio as a member of the board. Any vacancy occurring on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

SECTION 2. Officers.—The board shall meet as soon after appointment as may be practicable, at which time the members shall elect a chairman and secretary.

SECTION 3. Powers and duties.—The board shall: (1) work with the McCormick County Planning and Development Board and any other agencies to seek to promote the welfare of McCormick County; (2) have the power to purchase for McCormick County from any person, state or government, lands located in McCormick County which, in the opinion of the board, may be used for the development of the county; (3) sell and convey such real property as it may have acquired for the county to any person, state or government when, in its opinion, the board shall decide that the sale of such property will be for the best interest and development of the county; (4) borrow money with which to purchase property for the development of McCormick County and mortgage or pledge such property for the debt created.

SECTION 4. Further.—The Board, in the purchasing of real property and the borrowing of money for the purchase of such property, shall have the right to mortgage any property bought by the board to secure indebtedness, but, in no event, shall the board pledge taxing powers of McCormick County for the payment of any indebtedness incurred, and any indebtedness incurred by the board may be secured only by a lien against property purchased by the board and shall not become a general obligation of McCormick County or a lien against any of the other property of McCormick County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R114, H1296)

No. 76

An Act To Create The Belton-Honea Path Water Authority In Anderson County; To Define Its Service Area; To Prescribe Its Functions And Powers; To Authorize The Authority To Borrow Money; To Confer Upon It All Powers Contained In Sections 59-361 Through 59-415 And 59-651 Through 59-682, Code Of Laws Of South Carolina, 1952, As Now Or Hereafter Amended; To Make Provision For The Disposition Of The Revenues And Earnings Of Such Authority; To Make It Unlawful To Hurt Or Damage The System Or Property Of The Authority Or To Obtain Water Therefrom Except In Accordance With The Regulations Of The Authority And To Prescribe Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the towns of Belton and Honea Path, which are located approximately eight miles apart in Anderson County, each own and operate municipal waterworks systems. Each system is dependent upon wells for water. The increased demand for domestic, commercial and industrial water, and the lessening of underground sources of water supply have created a problem which renders it difficult for the waterworks systems of the two towns to adequately discharge the functions intended of them. Frequently wells must be bored to greater depths than formerly, involving more cost in their establishment and added cost in pumping water to the surface.

The problem has received engineering and other study, and recommendations have been made that a joint venture be undertaken by or on behalf of the two towns, in which water from the nearby Sa-

luda River would be availed of. The plan contemplates a raw water intake to be located at some convenient point on the Saluda River, from which water will be induced to flow in an open canal or aqueduct or by other means to a water treatment plant, from which point it will be treated and thereafter piped to the waterworks systems of the two towns.

The two towns are located on the highway known as both U. S. 178 and U. S. 76, on which are located a number of residences and small commercial enterprises. It, therefore, seems likely that the proposed plan would not only afford a solution to the problem of water supply for the towns of Belton and Honea Path, but would create a potential for other users.

The plan, which finds its approval in the enactment of this act, indicates the desirability of creating an independent public agency in the form of an Authority which would own and operate the proposed system, and which would not only provide a source of supply of water for the municipal waterworks systems of the towns of Belton and Honea Path, but which would serve all others who could be conveniently and economically served within a service area which is herein defined. To accomplish this purpose the General Assembly enacts this act to create the Belton-Honea Path Water Authority and to authorize it to undertake the venture herein described and to finance the same through a sale of its water revenue bonds.

SECTION 2. Belton-Honea Path Water Authority created—powers and duties.—There is hereby created a body corporate and politic of perpetual succession to be known as the Belton-Honea Path Water Authority (hereinafter called the "Authority"). It shall be the function of the Authority to effect the construction of a waterworks system, utilizing therefor, waters in the Saluda River at such convenient point or points as the Authority shall from time to time select, to effect the flow of water from the Saluda River through the means of canals, aqueducts or other methods to a water treatment plant to be located in the service area by the Authority, and thereafter to pipe treated water to the municipal waterworks systems of Belton and Honea Path and to such other domestic, commercial or industrial users who can be conveniently or economically served within the service area of the Authority. The water intakes, canals, aqueducts, water mains, treatment plants, distribution facilities, any reservoirs deemed necessary for the impounding of water, their several component parts, and all apparatus, equipment and property incident

thereto or used or useful in the operation thereof, and all additions, improvements, extensions and enlargements to any of the same, shall henceforth be referred to collectively in this act as the System. The Authority shall have the further functions and duties prescribed by this act, and shall have all of the powers herein granted.

SECTION 3. Service area.—The service area of the Authority shall be:

That section of Anderson County bounded on the East and Northeast by the Saluda River, on the South and Southeast by the Abbeville County line, on the West or Southwest by a line parallel to and two miles West and Southwest from the center line of the highway known by the numbering U. S. Highway No. 178 and No. 76, on the North and Northwest by a line parallel to and two miles North and Northwest from the center line of the highway known by the number S. C. Highway No. 247, until said line intersects the Saluda River. The said service area shall also include all of both Belton and Honea Path, and that area within two miles from the city limits of both Belton and Honea Path which are not encompassed within the area first described.

The area above described shall be set forth and delineated on a plat thereof to be made. The plat shall be filed in the offices of the Auditor and Treasurer of Anderson County. No sales of water to agencies other than those operating the municipal systems of Belton and Honea Path shall be made until the plat establishing the service area of the Authority has been filed.

SECTION 4. Members—appointments—terms—vacancies—officers—compensation.—The Authority shall consist of a board of five members, none of whom shall be officers of either Belton or Honea Path, and who shall be appointed by the Governor upon recommendations made in the following manner: two persons who are registered electors of the service area shall be recommended for office in the Authority by the City Council of Belton and two persons who are registered electors of the service area shall be recommended by the City Council of Honea Path; a fifth member shall be recommended by a majority of the other four members so recommended. In the event that the four members first named shall be unable to agree upon a fifth member, the two recommended by Belton shall select a registered elector living within the service area, and the two recommended

by Honea Path shall select a registered elector living within the service area. Thereupon lots shall be cast to determine the name of the person to be recommended to the Governor as the fifth member of the Authority. Immediately following the appointment of the five members of the Authority they shall meet and organize by electing one of their members as chairman, a second as vice-chairman, and a third as secretary. The terms of office of the chairman, vice-chairman and secretary shall be for one year, provided that the term of the initial officers shall expire on June 30, 1963. In order that the office of chairman shall be rotated, no chairman shall immediately succeed himself, and not less than one full year shall expire before one, who has held the office of chairman, shall again become chairman.

Following their organization, four of the members shall determine by lot the duration of the initial terms which they shall hold. Two members of the Authority shall hold office until June 30, 1963, one of whom was recommended by the City Council of Belton and the other one being recommended by the City Council of Honea Path; two shall hold office until June 30, 1965, one of whom was recommended by the City Council of Belton and the other one being recommended by the City Council of Honea Path; and the fifth shall hold office until June 30, 1967, this member being the member recommended by a majority of the other four members.

Immediately following the organization, the secretary so chosen shall certify to the Secretary of the State of South Carolina the terms which have been allotted the five initial members of the Authority, and the Secretary of State shall enter such certificate upon his records and appropriate commissions shall thereupon be issued by the Governor and the Secretary of State.

Upon the expiration of the term of office of any member of the Authority a successor shall be elected by the patrons of the water Authority, all of whom shall be qualified electors. The elections for successors as members of the Authority shall be held by the election commissioners of Anderson County who shall provide sufficient ballots at each voting place and shall appoint box managers and other necessary election officials. The election shall be held at least thirty days before the expiration of any term; *provided*, however, in case of a vacancy before the expiration of any term of office the successor shall be appointed by the other four members to serve until the next normal election. The election shall be advertised in a

newspaper of local circulation in the area concerned and such advertisement shall appear at least once a week for two weeks at least fifteen days prior to the holding of the election. Expenses of holding the election shall be paid from the funds of the Authority. The successors of the members whose terms shall expire in 1963 and 1965 shall be elected for terms of six years. The successor of the member whose term shall expire in 1967 shall be elected for a term of six years. *Provided*, that one member being elected in 1963 and one member being elected in 1965 shall come from the area known as the Belton area and the other member being elected in 1963 and the other member being elected in 1965 shall come from the area known as the Honea Path area. *Provided*, further, that the member being elected in 1967 and whose term runs for a period of six years shall be elected from the area at large.

For the purpose of dividing the water district into areas known as the Belton area and Honea Path area, a straight line shall be extended beginning at a point on Saluda River, the point being midway between the northern and southern boundary of the water district and extending in a southwesterly direction bisecting the overhead bridge located on the highway known as both U. S. 178 and U. S. 76 between Belton and Honea Path and extending to and ending at the western boundary of the water district.

Each member of the Authority shall receive five dollars per meeting not to exceed one meeting per month and not to exceed sixty dollars per year.

Notwithstanding the expiration of the term of office of any member of the Authority he shall continue to serve until his successor shall have been elected, appointed and qualified, but any delay in appointing a successor shall not extend the term of such successor.

SECTION 5. Not to compete with existing systems.—To the end that the Authority shall not unduly compete with the existing public waterworks systems of Belton and Honea Path the Authority shall not effect sales that will compete with the existing lines of Belton and Honea Path.

SECTION 6. Powers—further.—In order that the Authority shall be fully empowered to construct the System, to operate it, and to enlarge and extend it, within the limits of the service area, it shall have the following powers:

- (1) To have perpetual succession.

- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dykes, dams and reservoirs.
- (8) To divert such quantities of available fresh water from the Saluda River as the Authority shall determine.
- (9) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (10) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the System.
- (11) To sell water for industrial or domestic use.
- (12) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (13) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies, including the agencies operating the municipal water systems of Belton and Honea Path.
- (14) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs, distribution systems or elsewhere within its System.
- (15) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the Authority.
- (16) To lease or sell and convey lands, or interests therein.
- (17) To make use of county and State highway rights-of-way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.
- (18) Subject always to the limitations of Section 4, Article VIII of the Constitution of this State, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(19) To alter and change county and State highways wherever necessary to construct the System, under such conditions as the appropriate officials in charge of such highways shall approve.

(20) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(21) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(22) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(23) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its System. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the System, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the System, or any extension, addition or improvement thereof, shall be fully in operation, such sum as is needed to supply working capital to place the System in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the System. Neither the faith and credit of the State of South Carolina, nor of the municipalities of Belton and Honea Path, in Anderson County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the Authority, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed the Authority shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amend-

ments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the Authority by such Code provisions, the Authority may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by either such statute. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the Authority may:

(1) Disregard any provision requiring that bonds have serial maturities, and issue bonds with such maturities as the Authority shall determine.

(2) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its System, as such net revenues may be defined by the Authority.

(3) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(4) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the System, in accordance with the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities.

(5) Dispose of all obligations at public or private sale, and upon such terms and conditions as it shall approve.

(6) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve.

(7) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(8) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(9) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(10) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 7. Rates not to be regulated.—The rates charged for services furnished by the System, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

SECTION 8. Exempt from taxes.—All property of the Authority shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 9. Fiscal year—audit.—The Authority shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the Authority. Copies of such audits, incorporated into an annual report of the Authority, shall be filed with the Auditor and the Treasurer of Anderson County, and with the Secretary to the Legislative Delegation of Anderson County.

SECTION 10. Certain acts unlawful—penalties.—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the System of the Authority, or any part of the same, or any machinery, apparatus or equipment of the Authority, or to pollute the water in any part of its System, or to obtain water therefrom except in accordance with the regulations promulgated by the Authority. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the

court, and shall be further liable to pay all damages suffered by the Authority.

SECTION 11. Contracts for service.—The municipalities of Belton and Honea Path and all public bodies and public agencies now or hereafter operating water distribution systems in Anderson County, shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority and to the contracting municipality, public body or public agency.

SECTION 12. Contracts not to be impaired.—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the obligation of any contract made by the Authority pursuant to any power conferred by this act.

SECTION 13. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 14. Repeal.—All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistencies.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R115, H1299)

No. 77

An Act To Amend Act No. 312 Of 1955 Relating To The Board Of Tax Appeals For Lee County, So As To Increase The Board Membership From Three To Seven And Provide That Two Of The Members Be Appointed Upon The Recommendation Of The Town Councils Of Lynchburg And Bishopville.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of tax appeals created for Lee County—appointments—terms—vacancies—powers and duties—compensation.—Section 2 of Act No. 312 of 1955 is amended by strik-

ing out on line two the word "three" and inserting the word "seven"; by striking out on line three the word "who" and inserting "five of whom"; and by striking out on lines four and five "including the Senator." and inserting the following: ", one of whom shall likewise be appointed on the recommendation of the Town Council of Lynchburg and one of whom shall likewise be appointed on the recommendation of the Town Council of Bishopville." so that the section when amended shall read as follows:

"Section 2. There is hereby created a Board of Tax Appeals for Lee County, which shall consist of seven residents of the county, five of whom shall be appointed by the Governor on the recommendation of a majority of the County Legislative Delegation, one of whom shall likewise be appointed on the recommendation of the Town Council of Lynchburg and one of whom shall likewise be appointed on the recommendation of the Town Council of Bishopville. The term of office of the original members appointed shall end January 1, 1957 and thereafter the terms shall be for a period of two years and until their successors are appointed and qualified. Any vacancy occurring in the board shall be filled for the unexpired term in the manner of an original appointment. All powers and duties of the county boards of equalization under the general law of the State are devolved in Lee County upon the board of tax appeals. The board shall meet at such times as it may be called into session by the county auditor. No appeal shall be heard by the board of tax appeals until the property in question shall first have been assessed by the auditor and the county board of tax assessors, or upon complaint by any taxpayer that certain property has not been accurately listed or properly assessed by the auditor and the county board of tax assessors, and in such event the board shall have the right to place said property on the tax books by correcting and/or adding the listing and assessment. In considering any matter before it the board of tax appeals shall have the right to call before it the county auditor and any member or members of the county board of tax assessors. Each member of the board of appeals shall be paid at the rate of ten dollars per day for not exceeding ten days in each calendar year for a full day's work in the performance of duty as a board member and in addition to such

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R116, H1302)

No. 78

An Act To Amend Section 23-197, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Voting Precincts In Union County, So As To Abolish The Precincts Of Sedalia, Wilburn's Store, Gibbs And McBride's Store And To Amend Act 874 Of 1958, Relating To Voting Precincts In Union County For The Election Of School Officials, So As To Eliminate Wilburn's Store.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sec. 23-197, 1952 Code, amended—voting precincts in Union County defined.—Section 23-197, Code of Laws of South Carolina, 1952, as last amended by Act 878 of 1958, is further amended by striking it out and inserting in lieu thereof the following: "Section 23-197. In Union County there shall be the following voting precincts: Adamsburg; Black Rock; Bonham; Buffalo No. 1; Buffalo No. 2; Carlisle; Coleraine; Cross Keys; Excelsior Mill; Jonesville No. 1; Jonesville No. 2; Kelton; Lockhart No. 1; Lockhart No. 2; Meadows; Monarch No. 1; Monarch No. 2; Oakland; Ottaray; Parham; Putman; Santuc; Union Ward No. 1, Precinct No. 1; Union Ward No. 1, Precinct No. 2; Union Ward No. 2; Union Ward No. 3; Union Ward No. 4, Precinct No. 1; Union Ward No. 4, Precinct No. 2 and West Springs. *Provided*, that electors residing east of Goss Avenue shall be members of Union Ward No. 1, Precinct No. 1, and electors residing west of Goss Avenue shall be members of Union Ward No. 1, Precinct No. 2. *Provided*, further, that electors residing on the Meansville Road in Bogansville Township, otherwise qualified, shall be members of Oakland Precinct."

SECTION 2. Sec. 1 of Act 874 of 1958 amended—voting precincts in Union County for election of school officials.—Section 1 of Act 874 of 1958 is amended by striking the semicolon on line 2

and inserting in lieu thereof the word "and" and by striking on line 3 "; and Wilburn's Store", so that when amended the section shall read as follows:

"Section 1. In Union County, the new Oakland Precinct shall be included with Union Ward No. 4, Precinct No. 1 and Union Ward No. 4, Precinct No. 2, for the election of school officials. Union Ward No. 1, Precinct No. 1 and Union Ward No. 1, Precinct No. 2 shall be included with Union Ward No. 2 for the purpose of electing school officials."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R117, H1313)

No. 79

An Act To Provide For The Closing Of Alleys In The Town Of Johnston, In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Johnston may close certain alleys.—The Governing Body of the Town of Johnston, in Edgefield County, may by ordinance order the closing of any alley situate within the municipal limits of the town, when deemed in the public interest.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R118, H1316)

No. 80

An Act To Increase The Terms Of Office Of The Mayor And Councilmen Of The City Of Lake City In Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of Mayor and Councilmen for Lake City.—

The term of office of the Mayor of the City of Lake City shall be for four years. At the next election for city councilmen the three candidates receiving the highest number of votes shall be elected to serve for terms of four years each, with the other three councilmen elected to serve for terms of two years each, after which their successors shall be elected for terms of four years each.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R119, S61)

No. 81

An Act To Provide For The Terms Of Office Of Magistrates In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of magistrates in Beaufort County.—The terms of office for magistrates in Beaufort County shall be for two years commencing on the twenty-first day of January of the year 1963 and on the twenty-first day of each odd year thereafter. The terms of office of the magistrates now serving in Beaufort County shall expire on January 21, 1963.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R120, S154)

No. 82

An Act Requiring Vital Statistics Reports In York County, Now Filed In The Clerk Of Court's Office, To Be Filed Hereafter With The County Health Department.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Filing of vital statistics reports in York County.

—From and after the effective date of the act, all persons required to file vital statistics reports in the office of the Clerk of Court of York County, shall file them instead with the York County Health Department which shall keep and preserve them as a public record as now required of the Clerk of Court.

SECTION 2. Clerk of Court to transfer records—issuance of copies.—Vital statistics reports now in the custody of the Clerk of Court shall be transferred to the custody of the York County Health Department. The York County Health Department is hereby authorized and directed to issue copies of such reports to any person requesting them, and may use an impression seal.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R121, S157)

No. 83

An Act To Provide For The Terms Of Office Of The Mayor And Wardens Of The Town Of Ridgeway In Fairfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and wardens for Town of Ridgeway.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, the terms of office of the mayor and wardens of the town of Ridgeway in Fairfield County shall be for two years and until their successors have been elected and qualify.

SECTION 2. Not to affect present officials.—The provisions of this act shall not affect the terms of office of the present mayor and wardens.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R122, S121)

No. 84

An Act To Amend Act No. 912 Of 1960, Relating To Scholarships For Physically Handicapped Winners Of Certain Essay Contests For The Years 1959, 1960 And 1961, So As To Delete The Reference To The Years And To Make The Provisions Of The Act Permanent.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 912 of 1960 amended—winner of annual essay contest to receive scholarship.—Section 1 of Act No. 912 of 1960 is amended by striking the last sentence thereof, so that when amended the section shall read as follows :

“Section 1. Each year the first place winner of the essay contest sponsored by the Governor’s Committee on the Employment of the Physically Handicapped shall receive a four-year scholarship from the State-supported institution of his choice, provided he is otherwise qualified. The scholarship shall be granted by the governing body of the particular institution upon certification by the Governor’s Committee of the first place winner and that the winner is in financial need. The scholarship shall provide free tuition and fees and may be cancelled if a recipient does not maintain general scholastic and conduct standards established by the institution.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R123, S90)

No. 85

An Act To Repeal Sections 33-779 Through 33-782, Code Of Laws Of South Carolina, 1952, Relating To The Prohibition Against Obstruction Of Fording Or Crossing Places; Unnecessary Delay

At Public Ferries, Toll Bridges Or Causeways; Penalties For Violation; And Disposition Of The Proceeds Of The Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-779 through 33-782, 1952 Code, repealed.—Sections 33-779 through 33-782, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R124, H1258)

No. 86

An Act Requiring Any Person In Orangeburg County Constructing A New Building Or Making Improvements To An Existing Building Where The Cost Exceeds One Thousand Dollars To File A Report Of The Construction Cost With The Auditor Of The County And To Provide A Penalty For Violating The Provisions Hereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County to require construction information.—Any person who shall construct a new building or make an addition to an existing building in Orangeburg County where the cost thereof exceeds one thousand dollars shall within thirty days after completion of such construction or addition file with the auditor of the county a report reflecting the cost of the construction or addition.

SECTION 2. Form.—The report shall be on such form or forms as may be prescribed by the auditor.

SECTION 3. Not to apply to certain municipalities.—The provisions of Section 1 of this act shall not be applicable within any municipality within the county where a permit as may now be required by the municipality is presently furnished the auditor.

SECTION 4. Penalties.—Any person violating Section 1 of this act shall be guilty of a misdemeanor and upon conviction shall be

fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R125, H1295)

No. 87

An Act Authorizing The Judge of Probate For Florence County To Appoint A Deputy Judge Of Probate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County Judge of Probate may appoint deputy.—The Judge of Probate of Florence County may appoint a deputy judge of probate. Such appointment shall be evidenced by a certificate thereof signed by the judge of probate and filed in the office of the clerk of court of the county.

SECTION 2. Oath—powers and duties.—Before entering upon the duties of deputy judge of probate, such deputy shall take the oath prescribed by the Constitution and when so qualified, the deputy may do and perform all of the duties appertaining to the office of his principal, and all acts, judgments, decrees, orders, licenses and any and every act or deed necessary to the orderly discharge of the duties and powers of the office of the Probate Judge of Florence County, when done in the name of the judge of probate by his deputy judge of probate as such shall have the same force and effect in law as if performed by the judge of probate in person.

SECTION 3. Bond.—The deputy judge of probate, before entering upon the discharge of his duties, shall enter into a bond as required of the judge of probate and in the same sum as that of the judge of probate, conditioned for the faithful discharge of his duties, the premiums on which bond shall be paid for by the county. The bond shall be filed in the office of the clerk of court of the county.

SECTION 4. Terms.—The deputy judge of probate shall continue in office during the pleasure of the Judge of Probate for Florence County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R126, H1314)

No. 88

An Act To Authorize The Jasper County Board Of Education To Pay Any Outstanding Judgment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County Board of Education to pay certain judgments.—The Jasper County Board of Education is authorized and directed to pay any outstanding judgment against it when sufficient funds for this purpose are available.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R127, H1270)

No. 89

An Act To Repeal Section 10-24, Code Of Laws Of South Carolina, 1952, Relating To Surety Bonds And Recognizances In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-24, 1952 Code, repealed.—Section 10-24, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R131, H1340)

No. 90

An Act To Amend Act No. 853 Of The Acts Of 1952, As Amended, Relating To The Election Of Trustees Of Greenville County School District No. 520, So As To Include Boiling Springs In Election Area II.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 853 of 1952 amended—Greenville County School District 520 divided into election areas.—Section 1 of Act No. 853 of the Acts of 1952, as amended, is further amended by striking on line nine the word “and” between the words “Gantt” and “Mission” and by changing the period to a comma after the word “Mission” on lines nine and ten and adding the following: “and Boiling Springs.” so that the section when amended shall read as follows :

“Section 1. For the purposes of administering the affairs of School District No. 520 and for the purpose of electing the board of trustees of such district, Greenville County School District No. 520 is divided into seven election areas which shall be comprised of the School Districts of Greenville County as they existed prior to their consolidation into Greenville County School District No. 520 as follows :

Election Area I. Parker, Westville and Welcome.

Election Area II. Greenville, West Gantt, East Gantt, Mission, and Boiling Springs.

Election Area III. Grove, Piedmont, Rehoboth, Pepper, Ellen Woodside, Old Hundred, Lickville, Chandler, Horse Creek, Flat Rock 1-B, Santiago, McCullough, Dry Oak, West Dunklin, East View, Fork Shoals and Holly Grove.

Election Area IV. Flat Rock 7-D, Oak Grove, Mauldin, Conestee, Bethel, Simpsonville, Pliney, Jonesville, Stewarts, Hopewell, Fairview, St. Albans, Fountain Inn, that portion of Pelham 7-A lying south and west of the Enoree River, and former districts partially situate in Laurens County.

Election Area V. Paris, Taylors, Reids, Brushy Creek, Rock Hill, Greer (except that portion of Pelham 7-A lying south and west of the Enoree River) and former districts partially situate in Spartanburg County.

Election Area VI. Berea, Reedy River, Armstrong, Travelers Rest, Little Texas, Belvue, Union, Pleasant Retreat, Ebenezer, Slater-Marietta and Lima.

Election Area VII. Washington, Jordan, Double Springs, Locust, Mountain View, Tigerville, Cross Plains, Robertson, Callahan, Mt. Hill, Glassy Mountain, Pleasant Hill, Highland, Ebenezer-Welcome, Oneal, Lenoah, Meridell, Terry Creek, Center and North Fork."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R136, S172)

No. 91

An Act To Amend Section 47-1591, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election Of The Mayor And Members Of Council Of The City Of Greenville, So As To Provide That The Mayor And Council May Prior To The Election Fix The Terms Of Office Of The Mayor And Council To Be Elected.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-1591, 1952 Code, amended—City of Greenville to have mayor and council—terms—salaries.—Section 47-1591, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the word "four" on line four and inserting in lieu thereof the word "two" and adding after the word "years" on line four the following: "or four years which shall be determined by the mayor and council prior to any election," so that when amended the section shall read as follows:

"Section 47-1591. The present aldermanic form of government of the City of Greenville consisting of a mayor and members of a council is to be preserved. The mayor and members of the council are to be elected for terms of two years or four years which shall be determined by the mayor and council prior to any election, or until

their successors are elected and qualify and the number of members of the council is to be set by the council. The salaries of the mayor and members of the council shall be fixed by the council in the manner provided by law."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1961.

(R137, H1065)

No. 92

An Act To Amend Section 47-1331, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Naming Of Streets And Numbering Of Lots In Certain Counties, So As To Delete Therefrom The Radius Restriction, And To Make It Applicable To Counties With A City Having A Population Of Between Eighty-Five Thousand And One Hundred Thousand, According To The Latest Official United States Census.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-1331, 1952 Code, amended—naming of streets and numbering of lots outside certain municipalities.—Section 47-1331, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"Section 47-1331. In any county containing a city having a population of more than eighty-five thousand and less than one hundred thousand, according to the latest official United States Census, the city engineer of such city and the county engineer of such county may name any street or road beyond the borders of such incorporated city or town, and may change and give a number to designate each lot of land facing and fronting on such street or road for a distance of every twenty-six feet. A copy of the plat, and any revisions thereof, showing the street or road to be named and lots to be numbered shall be filed with the county engineer before he or the city engineer shall have authority to name any street or road or give a number to any lot thereon. The street or road shown on such plat

shall be located and referenced with an existing named street or road or fixed or natural marker. Any such name or number designating such lot facing on a street or road, when made, shall be certified to the office of the clerk of court of such county for recording."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1961.

(R139, H1346)

No. 93

An Act To Amend Section 64-1, Code Of Laws Of South Carolina, 1952, Prohibiting The Holding Of Public Sports Events On Sunday, So As To Authorize The Holding On Sunday Of Nationally Recognized Golf Tournaments Sponsored By Nonprofit Organizations At Times Other Than Hours Of Regular Church Worship.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 64-1, 1952 Code, amended—certain golf tournaments may be held on Sunday.—Section 64-1, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso: "*Provided*, that the provisions of this section shall not apply to the holding of nationally recognized golf tournaments sponsored by nonprofit organizations held at times other than hours of regular church worship."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of March, 1961.

(R141, H1399)

No. 94**An Act To Provide For The Election Of School Trustees Of Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County School trustees—elections—vacancies.—After the effective date of this act, all school trustees of Abbeville County shall be elected by the qualified electors of the county in special elections as provided by this act. Trustees of a particular area shall be elected by the qualified electors of the area concerned. In case any vacancy for a school trustee shall occur prior to the effective date of this act, such vacancy shall be filled by appointment for a term to end upon the effective date of this act by the Board of Education of Abbeville County.

SECTION 2. Elections—further.—The elections provided for by this act shall be held by the Commissioners of Election of Abbeville County and shall be held at least thirty days prior to the occurrence of any vacancy. Any election shall be advertised in a paper of general circulation in the county once a week for two consecutive weeks at least thirty days prior to the holding of the election. The advertisement shall state the purpose of the election and shall specify the name and location of the various voting places of the school district. All candidates for school trustee shall file their names with the commissioners of elections at least fifteen days prior to the holding of the election. No person shall be eligible as a candidate who is not a qualified elector of the area in which he seeks election.

SECTION 3. Vacancies—further.—In the event that there are no candidates for a vacancy on the board of trustees, the vacancy shall be filled by appointment by the Board of Education of Abbeville County.

SECTION 4. Conduct of election.—The commissioners of election shall have a sufficient number of ballots printed and furnished to the election officials of each voting place in the county in time for use at the opening of the polls. They shall appoint box managers and other election officials necessary to the proper conduct of the election. The ballots shall be counted in the same manner as other ballots are counted and the results shall be declared and published by the commissioners. In case of a vacancy before the expiration of any term, a successor shall be appointed by the board of education of the county for the unexpired portion of the term.

SECTION 5. Expenses.—The expenses of the election shall be paid from the educational fund of the county upon vouchers signed by the chairman of the board of election commissioners.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1961.

(R142, S91)

No. 95

An Act To Repeal Sections 40-201 Through 40-211, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Minor Indentured Apprentices.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 40-201 through 40-211, 1952 Code, repealed.—Sections 40-201 through 40-211, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R143, S93)

No. 96

An Act To Repeal Section 44-653, Code Of Laws Of South Carolina, 1952, Relating To The Penalty For Violation Of Laws No Longer In Effect.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 44-653, 1952 Code, repealed.—Section 44-653, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R144, S146)

No. 97

An Act To Prohibit The Trapping And Sale Of Rabbits Subject To Certain Exceptions, And To Establish A Bag Limit On Rabbits Of Five In Any One Day In Game Zone 2.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Trapping of rabbits in Game Zone 2.—It shall be unlawful for any person to trap rabbits in Game Zone 2 except that a landlord or tenant may use not more than five rabbit traps on lands on which he has exclusive control during the open season for rabbits as provided by law ; and *provided*, no rabbits other than pen raised domestic rabbits may be sold or offered for sale in Game Zone 2.

SECTION 2. Bag limit.—There is established for Game Zone 2 a bag limit of five rabbits in any one day.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R147, H1122)

No. 98

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Section 65-721, Providing For The Sale Of Business License Stamps To Nonresident Merchants Or Manufacturers For Individual Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 65-721 added—sale of business license stamps to nonresidents authorized—bond.—The Code of Laws of South Carolina, 1952, is amended by adding new Section 65-721 which shall read as follows :

“Section 65-721. Notwithstanding any other provision of this article, the South Carolina Tax Commission is hereby authorized to sell business license stamps to any merchant, wholesale or retail, or manufacturer for his individual use where the person is located

without the State of South Carolina. The person shall, as a prerequisite to the purchase of business license stamps, post a bond with the Tax Commission which in its opinion is sufficient to protect the State with respect to any charges which may arise against the merchant or manufacturer. The merchant or manufacturer shall, as a prerequisite to the purchase of business license stamps, execute an agreement in such form as the Tax Commission may prescribe, to the effect that the merchant or manufacturer will at any time within the limitation otherwise provided by law, make available to agents or auditors of the Tax Commission all pertinent records respecting taxable commodities stamped for sale within South Carolina. The privilege of purchasing business license stamps extended by this section to nonresident taxpayers is granted only where the State of residence of the taxpayer grants substantially the same privileges to residents of South Carolina purchasing stamps from the State or where the State imposes no tax of a similar character to that imposed by this article.

The bond provided for in this section shall be in cash to be held without interest, securities subject to the approval of the State Treasurer, or a surety bond issued by a surety company duly licensed by the Chief Insurance Commissioner to do business in South Carolina."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R148, S89)

No. 99

An Act To Repeal Section 44-475, Code Of Laws Of South Carolina, 1952, Relating To The Taking Of Affidavits, Probates Of Deeds And Similar Oaths By Commissioned Officers Of The Armed Forces Of The United States.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 44-475, 1952 Code, repealed.—Section 44-475, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R149, S208)

No. 100

An Act To Amend Act No. 185 Of The Acts Of 1957, Relating To The Colleton County Development Board, So As To Further Provide For The Powers And Duties Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 185 of 1957 amended—powers and duties—further.—Section 6 of Act No. 185 of the Acts of 1957 is amended by adding the following new subsection :

“(1) To enter into contracts with persons or municipalities for the purpose of furnishing water from facilities owned by the county ; *provided*, the contracts shall provide for payment of a sum sufficient to pay for the cost of operating the facility on a pro rata basis and to create a reserve fund in such amount as the board deems reasonable.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R151, S211)

No. 101

An Act To Provide For The Division Of Certain Fines Levied In Lancaster County Between The County And The Municipalities.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Distribution of certain fines in Lancaster County.—After the effective date of this act the fine of any person whose

offense was committed within the corporate limits of any municipality in Lancaster County and is tried and convicted in the circuit court of the county, such fine as may be collected shall be divided equally between the municipality concerned and the county. However, any jail costs incurred by the prisoner while in confinement shall be deducted from the fine collected before it is divided between the county and the municipality.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R155, H1057)

No. 102

An Act To Amend Section 44-861, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Leaves Of Absence For State Employees For Military Training, So As To Provide For Leaves Of Absence For State Employees Who Are Members Of The Coast Guard Reserve And Of The United States Air Force Reserve.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 44-861, 1952 Code, amended—State employees to get leave of absence for military training.—Section 44-861, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it out and inserting in lieu thereof the following : “Section 44-861. All officers and employees of the State of South Carolina, or any political subdivision thereof, who are either enlisted or commissioned members of the South Carolina National Guard, the United States Naval Reserve, the Officers Reserve Corps, the Enlisted Reserve Corps, the Reserve Corps of the Marines, the Coast Guard Reserve and the United States Air Force Reserve shall be entitled to leave of absence from their respective duties without loss of pay, time, or efficiency rating, for a period not exceeding fifteen days in any one year during which they may be engaged in training or other such duties ordered by the Governor,

the War Department, The Treasury Department, the Navy Department or the Air Force Department.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R156, H1249)

No. 103

An Act To Create The Aiken County Commission For Higher Education And To Make Provision For Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Aiken County Commission for Higher Education created—members—officers—advisory committee.—There is hereby created the Aiken County Commission for Higher Education. This body, hereinafter called the Commission, shall be composed of eight members who shall be appointed by the Governor on the recommendation of a majority of the Aiken County Legislative Delegation, including the Senator. The commissioners shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualify; *provided*, that four of the eight commissioners initially appointed shall be appointed for a term of two years, with their successors to be appointed thereafter for full four-year terms.

The Superintendent of Education for Aiken County shall, by virtue of his office, be an ex officio member of the Commission, and shall be entitled to vote as other members.

At their first meeting the commissioners shall elect a chairman, vice-chairman, secretary, and treasurer from among their members and proceed to organize and adopt such rules and procedures as may seem desirable to carry out their duties.

To facilitate its work the Commission is hereby authorized to appoint from Aiken County, and from such adjacent areas as deemed appropriate, an Educational Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and

consult with the Commission from time to time, as may be required. All members of the Commission and of the Educational Advisory Committee shall serve without compensation or fees.

SECTION 2. Meetings.—The Commission may meet at such times and in such places as to the majority of the members seems most desirable. Meetings shall be called by the chairman of the Commission; *provided*, that in the event the chairman is unable or unwilling to call a meeting, the Commission can be called into session on the written request and signatures of three members.

SECTION 3. Purpose.—The Commission shall have as its purpose the encouragement of higher education in Aiken County and adjacent areas and, more specifically, the establishment in Aiken County of facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable. The Commission shall establish standards for the admission of persons to such courses.

SECTION 4. Powers and duties.—To carry out this purpose and objective the Commission, with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Aiken County and adjacent areas the educational facilities above described; *provided*, that the County of Aiken shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Aiken County Legislative Delegation, including the Senator.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

SECTION 5. Records and reports.—The Commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Aiken County Legislative Delegation which shall include an accounting of all funds the Commission may have received and disbursed in the twelve months preceding that date.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R157, H1312)

No. 104

An Act To Authorize The City Of Easley, In Pickens County, To Contract To Furnish Water Or Sewage Service To Any Person Within Or Without The City For A Period Not To Exceed Fifty Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Easley may furnish water or sewage service to certain persons.—The City of Easley may, through its proper officials, enter into a contract with any person, within or without its corporate limits, to furnish such person water, or sewage disposal facilities, upon such terms, rates, and charges as may be fixed by contract between the parties, when in the judgment of its officials it is best for the interests of the municipality to do so. No such contract shall be for a longer period than fifty years, but any such contract may be renewed from time to time for periods not exceeding fifty years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R158, H1374)

No. 105

An Act To Amend Act No. 297 Of The Acts Of 1959 Relating To The Board Of Review For Tax Assessments In Berkeley County So As To Provide For The Filling Of Vacancies And To Provide For An Increase In The Membership Of Said Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 297 of 1959 amended—Board of Review for Tax Assessments created in Berkeley County—members—terms—officers—vacancies.—Section 1 of Act No. 297 of the Acts of 1959 is amended by striking the word “or” in line six and inserting in lieu thereof the word “and” and by adding at the end of the section the following: “Any vacancy occurring shall be filled for the

unexpired term.” so that when so amended, Section 1 shall read as follows:

“Section 1. There is hereby created a Board of Review for Tax Assessments in Berkeley County, which shall be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation. The members shall serve for terms of two years and until their successors are appointed and qualify. The board shall elect such officers and adopt such methods of procedure as it deems necessary for carrying out its functions. Any vacancy occurring shall be filled for the unexpired term.”

SECTION 2. Section 2 of Act 297 of 1959 amended—duties and powers.—Section 2 of Act No. 297 of the Acts of 1959 is amended by changing the word “tax” in line one to the word “taxes”; by striking the words “not be effective until approved” in line two and inserting in lieu thereof “be reviewed” and by inserting a semicolon after the word “review” in line three, so that when so amended, Section 2 shall read as follows:

“Section 2. All abatements of any taxes in Berkeley County shall be reviewed by the county board of review; and the duties imposed upon and the authority presently vested in and exercised by the boards of equalization under the general law of the State are hereby devolved upon the county board of review.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

An Act To Amend Section 7 Of Act No. 19 Of The Acts Of 1957, Relating To Complaints To The Civil Service Commission For Certain Employees Of The City Of Easley, So As To Provide For Complaint To The Commission Or A Majority Of The Members Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 7 of Act 19 of 1957 amended—discharge of personnel—right to be heard—suspensions.—Section 7 of Act No. 19 of the Acts of 1957 is amended by striking on lines six and seven the following: “any member thereof, and the commission, or any member,” and inserting in lieu thereof the words “a majority of its members, and the commission, or a majority of its members,” so that when amended the section shall read as follows:

“Section 7. No officer or employee of the fire or police department, including the chiefs thereof, who shall be appointed under the rules and regulations provided for by this act shall be dismissed, removed or discharged except for cause. Complaint against any officer or employee of either department may be orally or in writing lodged with the commission, or a majority of its members, and the commission, or a majority of its members, may investigate the charge and if a *prima facie* case is found to exist, such officer or employee may be brought to trial by the commission, *provided*, the commission, five days before any such trial, shall have served upon the officer or employee, a written statement of the charges upon which the trial is to be had. In or for the conduct of such trial, the commissioners shall have the power to secure by summons both the attendance and testimony of witnesses, and the production of books and papers relevant to such trial, and the accused shall have the same right. At any such trial both the commission and the accused shall have the right to be heard in person or by counsel, and city council shall have the right to be heard in person or by counsel and city council shall have the right to employ counsel to prosecute the case and fix the fee to be paid for such services. In the event any officer or employee be found guilty of violating any ordinance of his city or law of the State, any rule or order of the commission or of city council pertaining to his work or conduct, or the conduct of the department of which he is an officer or employee, or insubordination to the commission or his superior officer or officers, disrespectful conduct toward the mayor or his city or any of its councilmen, conduct unbecoming an employee of his city or department, conduct which might bring discredit upon or disrepute to his city or his department, inefficiency, oppressive use of his authority, the commission may dismiss or discharge him from service, demote him in rank, fine him not exceeding thirty days’ pay, or withdraw his vacation privileges; and the

commission may suspend any officer or employee pending such investigation not to exceed fifteen days at one time. An employee of either department may be suspended for a period not exceeding five days by his chief for the commission of any of the offenses, but such suspension shall be reported to the commission within twenty-four hours, and it shall have the right to remove such suspension or shorten the term thereof. *Provided*, however, that a six months' period shall elapse from the date of employment of new and additional officers and men under the terms and conditions of this act, during which six months' probation period the commission may discharge such officers or employees without cause and without a hearing, at its discretion; but after such six months' probation period, no officer or employee may be discharged except as provided for in this section."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R163, S105)

No. 107

An Act To Provide For The Establishment Of Community Mental Health Services Programs.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mental Health Commission to assist counties in establishing mental health programs.—The South Carolina Mental Health Commission may, when funds are available for such purposes, make grants to assist counties, cities, towns, political subdivisions or any combinations thereof, or any nonprofit corporation, in the establishment and operation of local mental health programs to provide the following services: (a) collaborative and cooperative services with public health, education, welfare and other groups for programs of prevention of mental illness, mental retardation, and other psychiatric disabilities; (b) informational and educational services to the general public, and lay and professional groups; (c) consultative services to

schools, courts and health and welfare agencies, both public and private; (d) diagnostic and treatment services; and (e) after care services for patients suffering from mental or emotional disorders, mental retardation and other psychiatric conditions, particularly those who have received prior treatment in an in-patient facility.

SECTION 2. Who may establish community mental health programs and clinics.—Any county, city, town, political subdivision, or any combination thereof, of over one hundred thousand population, and upon consent of the South Carolina Mental Health Commission, any city, county, town, or political subdivision, or combination thereof, with less than one hundred thousand population, may establish a community mental health services program and may establish clinics and staff them with persons specially trained in psychiatry and related fields. Such programs and clinics may be administered by a county, city, town, political subdivision or nonprofit corporation or a community mental health board established pursuant to this act.

SECTION 3. Applications for assistance by local units.—Any county, city, town, political subdivision, nonprofit corporation or community mental health board administering a mental health services program may apply for the assistance provided by this act by submitting annually to the South Carolina Mental Health Commission its plan and budget for the next fiscal year together with the recommendations of the community mental health board. No program shall be eligible for such assistance unless its plan and budget have been approved by the South Carolina Mental Health Commission.

SECTION 4. Allocations of funds.—At the beginning of each fiscal year the Mental Health Commission shall allocate available funds to the mental health programs for disbursement during the fiscal year in accordance with such approved plans and budgets. The Mental Health Commission shall, from time to time during the fiscal year, review the budgets and expenditures of the various programs and if funds are not needed for a program to which they were allocated, it may, after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other programs. It may withdraw funds from any program which is not being administered in accordance with its approved plan and budget.

SECTION 5. Grants not to exceed certain amounts.—Except as provided by this section, grants for any program shall not exceed

fifty per cent of the total expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) per diem and travel expenses of members of community mental health boards, and (e) other expenditures specifically approved and authorized by the South Carolina Mental Health Commission, nor shall they exceed in any fiscal year twenty-five cents per capita of the area served by the program. No grants shall be made for the purchase of land or buildings, Grants may be made for expenditures for mental health services whether provided by operation of a local facility or through contract with other public or private agencies. Existing local out-patient psychiatric clinic services now sixty-six and two-thirds per cent state supported shall continue to receive such support until local funds are secured to provide fifty per cent of such support but in no event shall such support extend beyond four years from the effective date of this act.

SECTION 6. Local units to establish boards—members—appointments—terms—vacancies.—Every county, city, town or political subdivision, or combination thereof, establishing a community mental health services program shall, before it may come within the provisions of this act, establish a community mental health board to be made up of not less than seven nor more than fifteen members. Membership of the boards, so far as may be practicable, shall be representative of local health departments, medical societies, county welfare boards, hospital boards, lay associations concerned with mental health as well as labor, business and civic groups and the general public. The members shall be appointed by the Governor, upon the recommendation of a majority of the members of the legislative delegations of the counties participating. The number of members representing each county shall be proportional to its share of the budget. The term of office of each member of the community mental health board shall be for four years and until his successor is appointed, except that of the members first appointed, one-third shall be appointed for a term of two years, one-third for a term of three years, and one-third for a term of four years. Vacancies shall be filled for the unexpired term in the same manner as original appointments. Any member of a board may be removed by the appointing authority for neglect of duty, misconduct or malfeasance in office, after being given a written statement of charges and an opportunity to be heard thereon. Any person may serve more than one term but not consecutively.

SECTION 7. Powers and duties of local boards.—Subject to the provisions of this act and the rules and regulations of the South Carolina Mental Health Commission, each community mental health board shall:

(a) Be the administrative agency for the community mental health services program.

(b) Employ personnel necessary to carry out the community mental health services program. Such personnel shall meet the job specifications as prescribed by the mental health commission and its merit system.

(c) Review and evaluate community mental health services provided pursuant to this act, and report its findings and recommendations to the Mental Health Commission, the administrator of the local program, and, when indicated, the public.

(d) Recruit and promote local financial support for the program from private sources such as community chests, business, industrial and private foundations, voluntary agencies and other lawful sources, and promote public support for municipal and county appropriations.

(e) Promote, arrange and implement working agreements with other social service agencies, both public and private, and with other educational and judicial agencies.

(f) Advise the administrator of the local program on the adoption and implementation of policies to stimulate effective community relations.

(g) Review the annual plan and budget of the local program and make recommendations thereon.

SECTION 8. Powers and duties of Mental Health Commission.—In addition to the powers and duties already conferred by law, the South Carolina Mental Health Commission shall:

(a) Promulgate rules and regulations governing the eligibility of community mental health programs to receive state grants, prescribing standards for qualification of personnel and quality of professional service and for in-service training and educational leave programs for personnel.

(b) Govern eligibility for service so that no person will be denied service on the basis of inability to pay; provide for establishment of fee schedules which shall be based upon ability to pay, the guiding principles of which shall be that no one who can afford to pay for his own treatment at the rate customarily charged in available private

practice shall be treated in the community mental health services clinic except as hereinafter provided.

(c) Regulate fees for consultation and diagnostic services, which services may be provided to anyone without regard to his financial status when such person is referred by the courts, schools, health or welfare agencies.

(d) Promulgate such other rules and regulations as it deems necessary to carry out the purposes of this act.

(e) Review and evaluate local programs and the performance of all personnel and make recommendations thereon to community mental health boards and program administrators.

(f) Provide consultative staff service to communities to assist in ascertaining local needs and in planning and establishing community mental health programs.

(g) Employ personnel, certified by the merit system as classified according to existing job classifications, including a State Director of Community Mental Health Services, to be under the supervision of the State Director of Mental Health, South Carolina Mental Health Commission, to implement the provisions of this act.

SECTION 9. Unexpended appropriations.—If any balances of appropriations for this program are unexpended during any fiscal year, the South Carolina Mental Health Commission may carry such balances forward to the next fiscal year, provided that not more than five per cent of the amount appropriated during any fiscal year shall be carried forward.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

An Act To Add Section 15-1806.1 To The Code Of Laws Of South Carolina, 1952, So As To Provide Under What Circumstances The Probate Judge Of Lee County Shall Act As Master And To Prohibit Such Person From Drawing More Than One Salary.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1806.1 added to 1952 Code—when Lee County Judge of Probate to act as Master—compensation.—Section 15-1806.1 is added to the Code of Laws of South Carolina, 1952, to read as follows:

“Section 15-1806.1. If the duly elected Probate Judge of Lee County should be an attorney, he shall be appointed by the Governor upon the recommendation of the Senator to act as Master of the county for a term coterminous with that of the office of Probate Judge. Upon the Probate Judge being appointed to act as Master, he shall hold office as Probate Judge only and all powers, duties and authorities appertaining to the office of Master in Equity of the county shall forthwith devolve upon the Probate Judge of the county. *Provided*, that when the Probate Judge is so appointed to act as Master he shall be entitled to the same fees as are allowed Masters in other counties, but nothing herein shall be interpreted to entitle the Probate Judge to two salaries nor shall it abolish the separate office of Master should the contingency provided for above not exist or the Senator not make any recommendation.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R165, S222)

No. 109

An Act To Amend An Act Of 1961 Bearing Ratification No. 42, Relating To The Office Of Master For Dorchester County, So As To Further Provide For His Practice Of Law.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 25 of 1961 amended—practice of law.—Section 5 of an act of act of 1961 bearing Ratification No. 42 is amended by striking the section and inserting in lieu thereof the following:

“Section 5. The master, if otherwise qualified, shall be authorized to practice law in all of the courts in this State and the United

States, but all cases in which he acts as attorney shall be referred to the clerk of court as special master, or to such other person as may be appointed by the resident or presiding judge as special master."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R166, S223)

No. 110

An Act To Amend Section 65-3101, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Forfeited Land Commission Of Dorchester County, So As To Increase The Membership.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-3101, 1952 Code, amended—members of Dorchester County Forfeited Land Commission.—Section 65-3101, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the section in its entirety and inserting in lieu thereof the following:

"Section 65-3101. There shall be three members of the Forfeited Land Commission of Dorchester County."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R168, H1438)

No. 111

An Act To Ratify Amendments To Section 7, Article VIII And Section 5, Article X, Of The Constitution Of South Carolina,

1895, Which Delete Certain Provisos Which Exempt The County Of Beaufort And Other Political Subdivisions Within The County From The Amount Of Bonded Indebtedness Which May Be Incurred By A Political Subdivision Of This State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendments to Section 7, Article VIII and Section 5, Article X, State Constitution, ratified—bonded indebtedness of Beaufort County and its subdivisions.—The amendments to Section 7, Article VIII and Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution entitled “A Joint Resolution Proposing Amendments To Section 7, Article VIII And Section 5, Article X, Of The Constitution Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By Political Subdivisions Of This State, So As To Eliminate The Provisos To Such Sections Exempting The County Of Beaufort And Other Political Subdivisions Within The County From Such Limitations, And Proposing An Amendment To Section 5, Article X, Of the Constitution To Exempt Beaufort County And Any Political Subdivision Within Such County From The Limitations Of That Section Or Any Other Constitutional Provision Limiting The Amount Of Bonded Indebtedness Which May Be Incurred By A Political Subdivision Of This State.” and appearing as a Joint Resolution and No. 952 of the Acts and Joint Resolutions of 1960, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendments are ratified.

Ratified the 16th day of March, 1961.

(R170, H1450)

No. 112

An Act To Authorize The Governing Body Of Greenville County To Invest Certain County Surplus And Unexpended Funds When It Would Benefit The Citizens Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County may invest certain funds.—When in the opinion of the governing body of Greenville County the citizens of the county would benefit, it is authorized to invest any surplus or unexpended appropriated funds, not immediately needed, in the hands of the county treasurer in investments as defined in Section 1-797, Code of Laws of South Carolina, 1952, as amended. The governing body of the county shall in its discretion determine the necessary security, the length, and terms of any of the loans.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R172, H1495)

No. 113

An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, So As To Increase The Limitation Upon The Bonded Indebtedness Of School District A Of Pickens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Section 5, Article X, State Constitution, ratified—bonded indebtedness of School District A of Pickens County may be increased.—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution entitled “A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, So As To Increase The Limitation Upon The Bonded Indebtedness Of School District A Of Pickens County”, and appearing as Act No. 1109 of the Acts of 1960, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5 of Article X of the Constitution the following:

"Provided, that the limitations imposed by Section 5 of Article X are removed for School District A of Pickens County and such district may impose a bonded indebtedness not exceeding eighteen per cent of the assessed value of the taxable property in the district. This limitation shall not be construed to affect or limit the power of other political subdivisions or municipal corporations covering or extending over any portion of the territory in the district."

Ratified the 16th day of March, 1961.

(R175, S212)

No. 114

An Act To Authorize And Direct The County Of Richland, The County Of Lexington, And The City Of Columbia To Make, Execute And Deliver A Contract Binding Each Of Them To Provide Equally An Annual Appropriation Sufficient To Pay The Annual Operating Deficit, If Any, Of The Richland-Lexington Airport Commission.

Whereas, by Act of the General Assembly, approved the twenty-fourth day of February, 1961, there was created an Airport District embracing the Counties of Richland and Lexington, and the General Assembly found that the City of Columbia, the County of Richland and the County of Lexington will each derive special benefits from the establishment and maintenance of an airport; and

Whereas, the Airport Commission created thereunder is authorized to operate and maintain the airport under the terms and provisions of this act, and that the Airport Commission may have an operating deficit from time to time in the course of its operation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Contracts to provide for deficits of Richland-Lexington Airport Commission.—The governing body of the County of Richland, the governing body of the County of Lexington, and the City Council of the City of Columbia are hereby authorized and directed to make, execute and deliver a contract, each with the other, agreeing to pay to the Richland-Lexington Airport Commission, in equal amounts, the funds necessary to meet the annual operating deficit, if any, of the Richland-Lexington Airport Commission or to pro-

vide for the Commission sufficient funds to prevent any such deficit from arising by annual equal payments to the Commission's anticipated budget.

SECTION 2. Appropriations and defaults.—There shall be provided in the annual act levying taxes for county purposes by Richland County and Lexington County, and in the annual ordinance of the City of Columbia levying taxes for municipal purposes, appropriations sufficient to carry out the provisions of Section 1 of this act.

In the event that either the City of Columbia, the County of Richland or the County of Lexington, or all of them, should fail or refuse to make any such contract, or if such contract should be made and there should be a default thereunder, and for either of such reasons or for any other reason the City of Columbia, the County of Richland or the County of Lexington should fail to provide its one-third share of the operating deficit, the Comptroller General of the State of South Carolina is authorized and directed to withhold from the monies to be received by the City of Columbia, the County of Richland or the County of Lexington, as the case may be, from the annual distribution made by the State of South Carolina to counties and municipalities from its receipts from the taxes levied by the State of South Carolina on alcoholic beverages, beer and wine, and on personal and corporate income an amount sufficient to pay such share or shares of the operating deficit.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

An Act Requiring The Board Of Trustees Of School District No. 1 Of Saluda County To Submit An Annual Budget, Prohibiting The Levying And Collecting Of Certain Taxes Without First Holding A Referendum, And Requiring The Levying And Col-

lecting Of Such Taxes When Approved By A Majority Of The Voters In The Referendum.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Saluda County School District 1—budget—referendum on tax levy.—The Board of Trustees of School District No. 1 of Saluda County shall annually prepare a budget and recommend to the county auditor the amount of tax levy necessary to defray the cost of such budget. The board shall not recommend any tax levy increase without first submitting the question to the people at a referendum and obtaining the approval of the people prior to such a levy. Such referendum shall be ordered by the board of trustees, and notice thereof given by publication in every newspaper published in the county at least once a week for three consecutive weeks prior thereto. The notice shall give the date of the referendum, the question to be voted upon, and any other information which the board deems advisable. After the increase has been approved by a majority of the voters in the referendum, such increase shall be levied and collected by the auditor and treasurer respectively.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R177, S240)

No. 116

An Act To Change The Name Of The Hammond Precinct In Horry County To The Red Bluff Precinct.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County voting precincts changed.—The name of the Hammond Precinct in Horry County is hereby changed to Red Bluff Precinct.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

R178, H1467)

No. 117

An Act To Establish The School District Of Colleton County; To Define Its Area; To Provide For The Appointment Of A Governing Board Therefor; To Prescribe The Powers And The Duties Of The School District And Its Board; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of The District; To Make Provisions For The Repayment Thereof; To Establish Areas Of Administration Within The District; To Define Their Areas; To Provide For A Board Of Trustees For Each Area Of Administration; To Prescribe The Powers And Duties Of The Areas Of Administration And Their Trustees; To Abolish All Other School Districts And Boards In The County; And To Repeal Sections 21-2171 Through 21-2189, Code Of Laws Of South Carolina, 1952, Acts 963 And 831 Of 1952 And Act 126 Of 1953, Relating To Schools In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County to have one school district—to assume assets and liabilities of existing districts.—The General Assembly prescribes that the entire area of Colleton County shall be constituted into a single school district, effective as of March 15, 1961. Hence, there is hereby created the School District of Colleton County, which shall at all times be co-extensive in area with Colleton County. If hereafter, pursuant to law, the area of Colleton County shall be enlarged or diminished, then such action shall correspondingly enlarge or diminish the area of the School District of Colleton County. The School District of Colleton County shall assume all assets now held by the existing school districts in the county, and shall likewise assume all liabilities of existing school districts. It shall likewise assume all assets and liabilities of the County Board of Education of Colleton County, except that it shall not assume any bonded indebtedness heretofore incurred by Colleton County, whether it be outstanding in the form of bonds, notes, or other instruments.

SECTION 2. To be governed by a board—members—appointments—terms—vacancies.—The governing body of the School District of Colleton County shall be a board to be known as the Colleton County Board of Education. Henceforth in this act, the School District

of Colleton County is referred to as “the school district” or “the district”, and the Colleton County Board of Education is referred to as “the board”. The board shall be composed of seven persons, one of whom shall be the Colleton County Superintendent of Education, and the remaining six persons shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Colleton County. In the case of the first board of education appointed pursuant to this act, the members shall be appointed for terms of two, three, and four years, respectively, with each member’s length of term designated by the Colleton County Legislative Delegation. Upon the appointment and qualification of the appointees to the board, the terms of office of the present County Board of Education of Colleton County shall terminate. Upon the expiration of each term of office, a successor shall be appointed in the manner of the original appointment for a four year term. In the event of a vacancy in office, however caused, a successor shall be appointed in the manner of the original appointment for the balance of the unexpired term.

SECTION 3. Officers — meetings — compensation. — As soon as convenient following the appointment and qualification of the board, those appointed shall meet and organize, and annually elect one of its members as chairman, and another as vice-chairman. Persons holding such offices shall be eligible to succeed themselves. The county superintendent of education shall, ex officio, act as secretary to the board, and shall be under the duty of keeping proper records for the board, including the minutes of its meetings. The board shall hold regular monthly meetings which shall be open to the public, and special meetings at such other times as may be necessary. Each member of the board shall receive ten dollars for each meeting at which he shall be actually in attendance, plus a travel allowance at the rate of seven cents for each mile of travel from the place of his residence to and from the place of meeting.

SECTION 4. Powers and duties.—The board shall have general management, control, and supervision of all phases of public school education throughout the school district of Colleton County, except such phases as may, by virtue of other provisions of this act, be vested in the board of trustees of the two areas of administration, whose establishment is authorized by this act. The board shall have complete charge of the expenditure of all money. In addition, the board shall have power to:

(1) Adopt and alter bylaws prescribing the procedure to be followed by the board at its meetings and other functions.

(2) Adopt and alter a corporate seal.

(3) Exercise all powers now, or hereafter vested, by general law in the board of trustees in the several school districts of the State.

(4) Establish and revise attendance areas within the school district.

(5) Effect the distribution of all local, State and Federal funds received by the school district.

(6) Adopt administration policies and procedures.

(7) Purchase land, plan and constitute new buildings, and keep existing buildings in good repair and usable condition.

(8) Exercise eminent domain. The procedure for exercising eminent domain may be any of those prescribed by law for public bodies or political subdivisions of the State.

(9) Determine and evaluate the educational program in the schools in the district.

(10) Establish and operate a comprehensive pupil transportation system throughout the school district. The board is authorized and directed to provide an efficient, businesslike, safe and adequate transportation system for the school children of the school district, and to operate it under such rules and regulations as it deems necessary to effect this function.

(11) Cause regular annual audits and, when necessary, special audits of all school funds in the school district. One copy of each audit shall be kept in the office of the board and copies shall be furnished to each member of the delegation.

(12) Carry a continuous school census.

(13) Adopt a system of budgetary controls.

(14) Regulate admission of pupils to the public schools of Colleton County and designate the schools the various pupils, when and if admitted, shall attend, under such regulations as it shall prescribe.

(15) Keep an accurate record of board proceedings.

(16) Control and supervise expenditures of all moneys or capital outlay.

(17) Employ such personnel as necessary to carry out the powers and duties herein conferred upon the board.

SECTION 5. Finances.—The School District of Colleton County shall be the unit for all financing and for receiving Federal and State funds. The board shall be charged with the responsibility of apportioning and distributing the funds to the several schools of the district on an equitable and fair basis.

SECTION 6. Budget and expenditures.—On or before March first of each year, the board shall prepare a complete budget for the schools of the district for the succeeding school year. This budget shall show proposed expenditures for all purposes, including construction and maintenance of buildings, operation of the transportation system, debt amortization, operation of the functions of the board, incidental school expenses, salaries for all faculty members and employees, and such other items as may appear necessary. Proposed expenditures shall be broken down to show the expenditures to be made in the administrative areas of the district. The budget shall be accompanied by a report of expenditures for the then current year and for the preceding year, set forth as to be easily compared, together with any statistics and analysis that would contribute to a full and complete understanding of both current and proposed expenditure.

For the purpose of informing the General Assembly of the needs of the school district, and in order that it may make appropriations therefor, this budget shall be submitted to the county legislative delegation on or before March first of each year.

It is contemplated by this act that the present plan for financing schools (in addition to moneys received from the State and Federal Governments) of including an annual lump sum appropriation in the annual county appropriation act to operate the public schools in the district, will be continued.

SECTION 7. Board to administer programs.—In the event of changes in the general State law relating to schools, which require action at the local level, the board shall constitute the agency for administering such programs as may be provided by the State within the school district.

SECTION 8. Board may issue bonds.—(1) To obtain moneys for capital outlays, the board shall be empowered, from time to time, to issue bonds of the school district, within such constitutional debt limit as may be applicable to the school district. Such constitutional debt limit is fixed as the statutory debt limit of the school district.

(2) All bonds issued shall be issued as serial bonds, maturing in such equal or unequal amounts as the board shall determine, except that the maturity schedule of any series or issue of bonds shall be arranged so that the last annual instalment shall fall due not later than thirty years from the date such series or issues of bonds shall bear. Any bond issued pursuant to this act may contain a provision permitting its redemption prior to its stated maturity at such premiums as may be prescribed by the board. Such series or issues of bonds shall bear such date or dates, and such rate or rates of interest as the board may determine. Each issue or series of bonds shall be in such denomination or denominations, and shall be payable at such place or places as the board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Colleton County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the board may prescribe.

(3) The proceeds of any issue or series of bonds, issued pursuant hereto, shall in the discretion of the board, be expended for all or any of the following purposes, that is to say:

- (a) for the purchase of real property for school purposes;
- (b) for the construction of new school buildings;
- (c) for the repair or improvement of existing school buildings;
- (d) for equipment for any public schools operated by the school district; and

(e) to pay the principal of any obligations of the school district which shall be funded or refunded.

(4) Each issue or series of bonds, issued pursuant hereto, shall be sold at public or private sale. If sold at public sale, the form, manner and occasion of the advertisement for public sale shall be determined by the board. No bonds shall be sold at less than par and accrued interest to the date of delivery.

(5) All bonds issued pursuant to this act shall be executed in the name of the School District of Colleton County by the chairman or vice-chairman, and shall be attested by the secretary, or acting secretary, of the board under the seal of the school district. The coupons appertaining to such bonds need not be authenticated otherwise than by facsimile signatures.

(6) The proceeds derived from the sale of bonds issued pursuant hereto shall be deposited with the Treasurer of Colleton County in

a special fund, separate and distinct from all other funds. The proceeds shall be applied solely for the purpose for which the bonds are issued, except that accrued interest and premium, if any, shall be deposited in the account to be established by the Treasurer of Colleton County, for the payment of the principal and interest on the bonds. The funds shall be obtained from the county treasurer upon warrant of the superintendent of education.

(7) Such bonds and all interest to become due thereon shall have the tax-exempt status prescribed by Act No. 730 of the Acts of 1952.

(8) For the payment of the principal and interest on the bonds, as they respectively mature, the full faith, credit and resources of the school district are hereby irrevocably pledged, and there shall be levied annually by the Auditor of Colleton County and collected by the Treasurer of Colleton County, in the same manner as county taxes are levied and collected, such tax as may be necessary, without limit, on all taxable property in the school district to pay the principal and interest on the bonds as they respectively mature.

SECTION 9. District divided into two administrative areas—each area to have board of trustees—elections of.—The School District of Colleton County shall be divided into two areas of administration, the areas of which shall be the same as now set forth for the school districts existing as of the effective date of this act in the Order of Consolidation, dated 20 November 1951, and also according to a map showing the present areas of the school districts, both of which are recorded 26 November 1951 in the Office of the Clerk of Court for Colleton County in Plat Box 220. Area No. 1, under this act, shall be composed of the same area as now comprises School District No. 1, and Area No. 2, under this act, shall be composed of the same area now comprising School District No. 2. For each of the areas of administration herein provided for, there shall be a board of trustees consisting of five members.

The present school trustees of the School Districts in Colleton County as of the effective date of this act shall continue to serve as trustees of the areas of administration for the remainder of the terms for which elected, and until their successors are elected and qualify. Their successors shall be elected for terms of six years in the general election preceding the expiration of their terms by the qualified electors residing in each area of administration. The county board of education shall certify each area of administration into area

residence divisions so that various sections of each area of administration shall have representation on the board of trustees, and at least one school trustee shall be assigned to each residence division, but all shall be elected by the vote of the qualified electors residing in the area of administration. Any person wishing to be elected as trustee of an area of administration shall request, in writing, the board of commissioners for county and state elections in Colleton County to place his name upon the ballot for the election of such trustee at least thirty days before the general election and, if qualified, he shall be a candidate for such office and his name shall be placed on the ballot.

SECTION 10. Vacancies—conduct of elections.—If a vacancy should occur on the board of trustees, the same shall be filled for the unexpired term by appointment of the Colleton County Board of Education, but thereafter the successor shall be elected in the following general election.

The board of commissioners for county and state elections in Colleton County shall arrange for the conduct of the election of school trustees by the managers of election appointed for the general election for county and state officers. The board of election commissioners shall furnish separate boxes or otherwise provide for an election of school trustees and shall establish such reasonable rules and regulations as may be necessary to effectuate the purpose of election of school trustees by the qualified electors.

SECTION 11. Powers and duties of trustees.—The board of trustees in the two areas of administration shall each be empowered to:

- (1) Elect an individual to serve as superintendent of schools for the administrative area.
- (2) Employ, discharge, and assign principals, faculty and all necessary personnel for the operation of the schools in the administrative area.
- (3) Make recommendations to the Colleton County Board of Education for salaries of all persons serving in the schools of the particular administrative area, including the superintendent, faculty members and other personnel.
- (4) Shall have charge of the routing of and the assignment of pupils to the school buses assigned to the particular administrative area by the Colleton County Board of Education.

(5) Control and supervise the daily operation of the school programs, classes and all other activities of schools in the administrative area, to the extent that the same does not conflict with the regulations of the board.

(6) Make recommendations and cooperate with the Colleton County Board of Education in planning new school buildings and the repair or renovation of existing school buildings within the administrative area.

(7) Set up administrative policies for the particular area to the extent that the same does not conflict with regulations of the Colleton County Board of Education.

(8) Prepare and submit annually, on or before the first of February of each year, to the Colleton County Board of Education, a budget for the operation of the schools in the administrative area.

(9) Make such reports to the Colleton County Board of Education as are required by the board.

(10) Administer and expend any funds or gifts derived from special sources within the administrative area.

(11) Carry out the policies and directions of the Colleton County Board of Education.

SECTION 12. Termination of existing school districts.—Upon the effective date of this act, all existing school districts in Colleton County, except the school district created by this act, shall cease to exist.

SECTION 13. Custody of monies.—All monies received by or on behalf of the school district from Federal, State and county sources shall be kept in custody of the county treasurer, who shall ex-officio be the treasurer of the school district.

SECTION 14. Withdrawal of funds.—Warrants or orders effecting the withdrawing of funds in the hands of the county treasurer shall be signed by the county superintendent of education or such other person as the board may by written resolution direct. *Provided*, that the principal and interest on any bonds issued by authority of this act shall be paid by the Treasurer of Colleton County.

SECTION 15. Saving clause.—If any section or part of this act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of other sections or parts hereof.

SECTION 16. Not to affect certain tax levy and textbooks system.—Nothing herein contained shall affect the present levy of one-half mill for county board purposes, which shall continue in full force and effect and shall be disbursed by the county board in its discretion for educational purposes; nor shall this chapter interfere with the existing provisions of law for the operation of a county rental and free textbooks system.

SECTION 17. Borrowing of money.—Upon the written request of the county board of education or the county unit tax and such in- and the Treasurer of Colleton County shall borrow from time to time as needed during any fiscal year such sums of money as may be necessary to pay the school claims of the county, but in no event shall any loan exceed seventy-five per cent of the amount of school revenues of the county including State aid. Any loans made hereunder shall be borrowed at the lowest obtainable rate of interest. As security for any such loan all taxes levied and collected for school purposes in Colleton County and anticipated State aid for the current year shall be pledged as security. The County Treasurer and County Superintendent of Education for Colleton County shall borrow the money in reasonable amounts from time to time as needed and the county treasurer shall repay the same, or any portion thereof, as rapidly as taxes are collected therefor, together with the interest thereon, with due regard to the necessity of using the necessary amount of incoming current taxes to keep the schools in operation during the current year. Interest on moneys borrowed hereunder shall be paid from the fund of the county board of education or the county unit tax and such interest must be paid promptly when due.

SECTION 18. Repeal—Sections 21-2171 through 21-2189, 1952 Code, and Acts 831 and 963 of 1952 and 126 of 1953, repealed.—Sections 21-2171 through 21-2189, Code of Laws of South Carolina, 1952, Act No. 831 of 1952, Act No. 963 of 1952, Act No. 126 of 1953, and all other acts or parts of acts inconsistent herewith are repealed, it being the intent that this act shall constitute, from its effective date, the sole special statutory law relating to The School District of Colleton County.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R181, H1502)

No. 118

An Act To Amend Section 21-2617, Code Of Laws Of South Carolina, 1952, Relating To The Levying Of Taxes For School Purposes In Fairfield County, So As To Allow An Additional Levy Of Six Mills For School Operating Purposes Only, And To Provide For A Referendum Regarding Such Increase.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-2617, 1952 Code, amended—Fairfield County may levy additional tax for schools.—Section 21-2617, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso: “*Provided*, that an additional property tax levy of six mills may be imposed for school operating purposes only.”

SECTION 2. Referendum on tax levy.—There shall be a special election held in Fairfield County on April 18, 1961, at which the following question shall be submitted to the qualified electors of the county: “Are you in favor of increasing the maximum tax levy in Fairfield County for school purposes by six mills provided that such six mills are used for operating purposes only?”

YES..... NO.....”

SECTION 3. Conduct of election.—The Fairfield County Commissioners of Election shall conduct the election provided for in Section 2 of this act in the manner set forth in the South Carolina Election Law and shall certify the results thereof to the Fairfield County Legislative Delegation.

SECTION 4. Section 1 not effective unless tax levy voted for.—Section 1 of this act shall not be effective unless a majority of the electors voting in the election provided for in Section 2 vote in favor of such increase.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R182, H1508)

No. 119

An Act To Amend Act No. 48 Of The Acts And Joint Resolutions Of 1955, Authorizing Tax Exemptions For Textile Plants And Plants Processing Fiber, Locating In Berkeley County, So As To Extend The Exemptions Authorized By The Act To Include Additions Exceeding One Hundred Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 48 of 1955 amended—Section 1-A added—tax exemptions for additions to certain manufactories in Berkeley County.—Act No. 48 of the Acts and Joint Resolutions of 1955 is amended by inserting therein a new section, which shall be Section 1-A as follows:

“Section 1-A. The same exemptions as provided in Section 1 of this act shall be granted for additions to those textile plants constructed in Berkeley County, where such additions exceed the sum of one hundred thousand dollars in costs, and such textile plants are engaged in the same type manufacturing as provided for in Section 1, and such exemptions shall extend for a period of five years under the same terms and conditions as provided in Section 1 of this act.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R183, S158)

No. 120

An Act To Amend Section 28-519, Code Of Laws Of South Carolina, 1952, Designating Brookgreen Gardens, Of Georgetown County, A Fish And Game Sanctuary, So As To More Clearly Define The Area Within The Sanctuary And Provide For Properly Posting And Signing The Sanctuary; To Prohibit Hunting And Fishing In The Area And To Provide Penalties For The Violation Hereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-519, 1952 Code, amended—Brookgreen Gardens to be game sanctuary—penalties.—Section 28-519, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-519. The lands owned by Brookgreen Gardens, as an eleemosynary corporation for southeastern flora and fauna, in Georgetown County, and all streams, creeks and waters, fresh, salt or mixed, entering into the lands, are hereby established as a sanctuary for the protection of game, other birds and animals and any hunting, shooting, fishing or other trespassing on the lands or waters is hereby prohibited, except such hunting and shooting as may be carried on by permission of the trustees of Brookgreen Gardens, granted at an annual meeting of the trustees. Permission for hunting and shooting shall not be granted by the trustees unless it is apparent to them that there is an excess of deer or other game which may cause damage to the gardens or other property owned by the trustees. *Provided*, however, that notwithstanding any of the foregoing, the public shall be allowed to fish in the Atlantic Ocean from the beaches of the area and in the salt water creeks entering into it, under such rules and regulations as may be promulgated by the Division of Parks of the South Carolina State Commission of Forestry having due regard for the safety of bathers and convenience of other users of the park. *Provided*, further, that the trustees of the Brookgreen Gardens Corporation or the State Commission of Forestry shall post along the outer boundaries of the land and at the mouths of all streams and creeks, signs notifying the public that the area is a sanctuary and closed to hunting and fishing, except as authorized by the terms of this act.

Nothing herein shall abridge or curtail the rights of the Division of Commercial Fisheries to control and lease the oyster bottoms in the area heretofore under its jurisdiction.

Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor and shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars or imprisonment for not exceeding thirty days.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R186, S241)

No. 121

An Act To Amend Title 14, Chapter 42, Article 4, Code Of Laws Of South Carolina, 1952, Which Provides For A Recreational Board In Kershaw County So As To Create A Recreational Board In Kershaw County To Operate Playgrounds, Athletic Fields And Other Recreational Areas For The Benefit Of The Colored People Of Kershaw County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Sections 14-2504, 14-2505 and 14-2506 added—**Kershaw County Recreational Board created for Colored Race—members—terms—chairman—powers and duties.**—Title 14, Chapter 42, Article 4, Code of Laws of South Carolina, 1952, is amended by adding thereto the following sections which shall be Sections 14-2504, 14-2505 and 14-2506 as follows:

“Section 14-2504. There is hereby created a recreational board in Kershaw County to be known as the Kershaw County Recreational Board for the Colored Race.

Section 14-2505. The board shall consist of nine members who shall be appointed by the county legislative delegation. Their terms of office shall be four years and until their successors shall have been appointed and qualify, except that of those first appointed three shall be appointed for four years, three shall be appointed for three years and three shall be appointed for two years. The first chairman of the board to serve shall be appointed by the legislative delegation for a term of one year. Thereafter the chairman shall be elected by a majority of the members of the board for a term of one year and he may succeed himself. The board shall meet on the call of the chairman or a majority of the members.

Section 14-2506. The Recreational Board for the Colored Race may purchase, equip and construct playgrounds, athletic fields and such other recreational areas as in its judgment will promote recreational activities for the colored race, with such funds as may be provided by law from time to time.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R188, S164)

No. 122

An Act To Provide That Stable Or Kennel Keepers Shall Have A Lien On Any Horse Or Dog Until Such Time As The Cost Of Upkeep, Rest And Training Of The Horse Or Dog Is Paid And To Provide For The Sale Of The Horse Or Dog To Satisfy The Lien.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Stable or kennel keepers to have liens upon horses or dogs.—A stable or kennel keeper shall have a lien upon any horse or dog which is left with him for upkeep, rest and training until the cost of the upkeep, rest and training has been paid by the owner of the horse or dog. The owner of the horse or dog shall also be responsible for payment of the cost of upkeep, rest and training of the horse or dog after notice of the lien. If the owner of the horse or dog has not paid the cost of upkeep, rest and training of the horse or dog after actual notice of the lien within sixty days of such notice, the stable or kennel keeper may sell the horse or dog after having advertised the time and place of the sale in a newspaper having general circulation in the county wherein the stable or kennel is located at least fifteen days before the sale is to be held. After the sale of the horse or dog the stable or kennel keeper may deduct the cost of the upkeep, rest and training of the horse or dog before and after date of the notice of the lien, plus all expenses incurred from the advertising and sale herein provided, and shall submit the balance of the proceeds of the sale to the previous owner of the horse or dog.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R189, H1157)

No. 123

An Act To Amend Section 4 of Act No. 809 Of The Acts Of 1958, Relating To Regulations Of The Breeding Of Certain

Quail For Commercial Purposes, So As To Reduce The Cost Of Tags.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 4 of Act 809 of 1958 amended—quails to be tagged prior to sale—penalties.—Section 4 of Act No. 809 of the Acts of 1958 is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 4. Before being offered for sale, other than alive for propagation purposes, each quail carcass shall be tagged with a seal or tag to be secured at a cost of five cents from the South Carolina Wildlife Resources Department—Division of Game, and such seal or tag shall remain affixed to the carcass of each quail until such bird is finally prepared for consumption. The seal or tag shall be designed by the South Carolina Wildlife Resources Department—Division of Game, and may not be copied or reused. No person except a breeder licensed hereunder shall sell or offer for sale any quail which have not been tagged as provided for herein. Any such birds which do not have tags attached shall be subject to confiscation and the owner of such birds and the owner or operator of any business establishment having such birds shall be guilty of a misdemeanor and, upon conviction, fined one hundred dollars or imprisoned for thirty days.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

An Act To Provide For A Closed Season For The Taking Of Trout From Fresh Water Streams; To Provide A Daily Creel Limit; To Remove Size Limit; To Provide For Search Of Creels; To Provide Penalties For Violations; And To Repeal Sections 28-580, 28-581 And 28-591, Code Of Laws Of South Carolina, 1952, And Sections 71, 72 And 73 Of Act No. 898 Of The Acts

Of 1952, Relating To The Closed Season And Size Limits For The Taking Of Trout.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. "Trout"—defined.—The word "trout" as used in this act shall mean rainbow, brook, brown or other species of cold water trout and shall not mean fresh water bass.

SECTION 2. Closed season.—There is hereby created a closed season for the fishing for or taking of trout from the fresh water streams of this State, beginning the first day of October and terminating the first day of March of each year.

SECTION 3. Unlawful possession.—It shall be unlawful for any person during the closed season to have in his possession any trout taken from the fresh waters of this State. Any person found in possession of fresh water trout during the closed season shall be presumed to have taken such trout from the fresh water streams of this State.

SECTION 4. No size limit.—There shall be no size limit on trout.

SECTION 5. Limit.—Not more than ten trout may be taken from the fresh water streams of the State in any one day.

SECTION 6. Baskets may be searched.—It shall be lawful for any game warden or other officer to search any creel.

SECTION 7. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days.

SECTION 8. Repeal—Sections 28-580, 28-581 and 28-591, 1952 Code, and Sections 71, 72 and 73 of Act 898 of 1952, repealed.—Sections 28-580, 28-581 and 28-591, Code of Laws of South Carolina, 1952, and Sections 71, 72 and 73 of Act No. 898 of the Acts of 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R191, H1328)

No. 125**An Act To Make Further Provision For The Catching Of Shad In Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Williamsburg County — shad—nets. — Notwithstanding the provisions of Section 28-886, Code of Laws of South Carolina, 1952, as amended, in Williamsburg County a five and one-half inch mesh net may be used to catch shad and it shall be lawful to set such nets from Monday noon until Saturday noon during the open shad season.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R192, H1365)

No. 126**An Act To Amend Section 28-865, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Numbering Of Licensed Shrimp And Crab Boats, So As To Authorize The Division Of Commercial Fisheries In The Alternative To Fix The Size And Shape Of The Letters And Numerals To Be Displayed On Such Vessels.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-865, 1952 Code, amended—numbers for licensed shrimp and crab boats.—Section 28-865, Code of Laws of South Carolina, 1952, as amended, is further amended by adding the following immediately after the comma on the next to the last line: "or shall be of such size and shape as may be furnished by the Division of Commercial Fisheries,". The section when amended shall read as follows:

"Section 28-865. Every boat licensed by the Commission to trawl for shrimp and/or crabs in this State, at the time of the issuance of such license shall be assigned by the Commission a number under

which such boat shall be registered and operated. The number so assigned to any such boat shall be of distinctive numerals not less than two inches in width of letter and not less than eighteen inches in height, or shall be of such size and shape as may be furnished by the Division of Commercial Fisheries, and shall be so displayed as to be clearly visible from either side of the vessel."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R196, H1528)

No. 127

An Act To Amend Act No. 99 Of The Acts Of 1953, As Amended, Creating The Civil Court For Horry, So As To Give The Court Criminal Jurisdiction And To Further Provide For The Proceedings And Powers Of The Court; And To Amend Section 6 Of Act No. 860 Of The Acts Of 1956, Relating To The Referral Of Certain Cases, So As To Properly Designate The New Name Of The Court; And To Provide For An Appropriation To Defray The Additional Salary Of The Judge For The Remainder Of The 1960-61 Fiscal Year.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 1 of Act 99 of 1953 amended—The Civil Court of Horry established.—Section 1 of Act No. 99 of the Acts of 1953 is amended to read as follows :

"Section 1. A court inferior to the circuit court, and to be known as 'The Civil and Criminal Court of Horry,' composed of a civil and a criminal division, is hereby established, the same being deemed necessary by the General Assembly for all of that part of Horry County lying east of the Atlantic Coast Line Railroad leading from Lumber River to the North Carolina State line, that is to say, all of that territory in Horry County except that portion lying between Lumber River and the Atlantic Coast Line Railroad."

SECTION 2. Sec. 2 of Act 99 of 1953 amended—jurisdiction.—

Section 2 of Act No. 99 of the Acts of 1953, as amended, is further amended to read as follows:

“Section 2. (a) The civil division shall have concurrent jurisdiction with the court of common pleas to try and determine all civil cases and special proceedings, both at law and in equity, where the value of the property in controversy or the amount claimed, as alleged in the complaint, does not exceed the sum of eleven thousand dollars, but such jurisdiction shall not extend to cases where the title to real estate is in question. In all foreclosures of mortgages, liens and mechanics’ liens, where the amount of the sum claimed in the complaint does not exceed the sum of eleven thousand dollars, the civil division shall have concurrent jurisdiction with the court of common pleas regardless of the value of the property involved.

(b) The criminal division shall have concurrent jurisdiction with the court of general sessions to try and determine all criminal cases except cases for murder, manslaughter, rape, assault with intent to ravish, arson, common law burglary, bribery, perjury, assault and battery of a high and aggravated nature, assault and battery with intent to kill and any other cases in which the maximum penalty is in excess of ten years as is now provided by law.

(c) The court shall have concurrent jurisdiction with the circuit court to hear and determine all appeals, civil or criminal cases, from judgments or verdicts rendered by magistrates’ courts, and the proceedings on such appeals shall be the same as now provided for appeals from the magistrates’ courts to the circuit court.

(d) In all cases and special proceedings within the jurisdiction of this court, the judge shall have the same jurisdiction, both in open court and at chambers, as now possessed by circuit judges of cases pending in circuit courts over which they are presiding or in the circuit in which they are residents.

(e) The judge may issue writs of habeas corpus in all cases within the jurisdiction of the court and shall have the right to grant bail in all cases which might be tried in the court or in cases where the magistrate may grant bail.”

SECTION 3. Sec. 3 of Act 99 of 1953 amended—court of record—seal—Section 3 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 3. The Civil and Criminal Court of Horry shall be a court of record, have a seal inscribed with the words ‘The Civil and Criminal Court of Horry’, and the same presumption in favor of its jurisdiction and the validity of its judgments, findings and decrees shall hold in cases of judgments, findings and decrees granted by the circuit court.”

SECTION 4. Sec. 4 of Act 99 of 1953 amended—certain laws applicable—entry of judgments and pleadings.—Section 4 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 4. All general laws and statutory provisions, applicable generally to the circuit courts of this State and to the trial of cases therein, shall apply to the court and to the conduct and trial of cases therein where not inconsistent with this act. Any judgment rendered, other than upon the verdict of a jury, may be entered upon the day of such rendition; *provided*, that the pleadings or copies thereof in cases for trial before the civil division shall be filed in the clerk’s office, as now provided by law for the circuit court, before six o’clock in the afternoon of the Monday preceding the first day of the next ensuing term of the civil division and the clerk shall forthwith enter the case upon the appropriate calendar.”

SECTION 5. Sec. 5 of Act 99 of 1953 amended—pleadings—rules—evidence—witnesses.—Section 5 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 5. The same forms of pleadings, and the same rules of procedure, rules of court, practice and evidence, and subpoenaing of witnesses shall obtain in the court as is or shall be provided by law for the trial of cases in the circuit court where not inconsistent with the provisions of this act.”

SECTION 6. Sec. 6 of Act 99 of 1953 amended—jurisdiction of judge.—Section 6 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 6. In all cases and special proceedings within the jurisdiction of the court and pending therein, the judge of the court shall have the same jurisdiction both in open court and at chambers as is possessed by circuit judges in the circuit court over which they are presiding or in the circuits in which they are the resident judges.”

SECTION 7. Sec. 7 of Act 99 of 1953 amended—appeals.—Section 7 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 7. In all cases and special proceedings of which the court shall have jurisdiction, the right of appeal shall be direct to the Supreme Court of the State pursuant to the same rules, practice and procedure as now, or may hereafter, govern appeals from circuit courts, except as may herein otherwise be provided.”

SECTION 8. Sec. 8 of Act 99 of 1953 amended—terms—non-jury matters.—Section 8 of Act No. 99 of the Acts of 1953, as amended, is further amended to read as follows:

“Section 8. The court shall be held in the discretion of the judge at such times as he may deem it necessary to properly dispatch both civil and criminal matters which may properly come before the court, and shall continue for such time as is necessary to dispose of these matters. The court shall always be open for the transaction of such civil and criminal matters as may be disposed of without a jury. Each week which may be designated for jury trials shall be considered a term. The judge shall prepare in advance the jury terms so that those having matters in the terms shall have ample time to prepare for such trials.”

SECTION 9. Sec. 9 of Act 99 of 1953 amended—jury commissioners—drawing and summoning of jurors.—Section 9 of Act No. 99 of the Acts of 1953 is amended to read as follows:

“Section 9. The board of jury commissioners, as constituted by law in the county for the drawing of jurors for the circuit court, shall constitute the board of jury commissioners for the drawing of jurors to attend both civil and criminal sessions of the court; and such commissioners shall, upon the order of the court at such time as shall be fixed and after five days’ notice of such drawing from the jury box, draw a panel of not less than twenty petit jurors residing within the jurisdictional limits of the court, and the clerk of court shall immediately issue to the sheriff a venire containing the names of the persons drawn as petit jurors, which venire shall be returnable at such times as may be designated by the court, and the persons served shall be the jurors for the term. The law relating to the qualification, drawing and summoning of jurors of the circuit court shall apply, except as herein otherwise provided. The jury for the civil division of the court shall consist of six qualified

electors and shall be drawn as provided for jurors for the court of common pleas, except the list as furnished by the court shall contain the names of twelve jurors unless the court shall otherwise order, by consent of the parties or their attorneys and both the plaintiff and defendant shall each be allowed to strike three jurors. The jury for the criminal division of the court shall also consist of six qualified electors who shall be drawn as provided for jurors for the court of general sessions and both the prosecution and the defendant shall be entitled to five strikes each. The jurors drawn and summoned shall appear and attend upon the session of the court for which summoned until excused and discharged by the judge. Services of jurors in this court shall not be held to exempt them from service as such in the circuit court in the same year, but no jurors shall be required to serve in this court more than once in the same calendar year.

Additional jurors, as necessary in the discretion of the judge, may be ordered as now or hereafter required for the circuit courts."

SECTION 10. Sec. 10 of Act 99 of 1953 amended—clerk of court—costs and fees—books—judge's office—courtroom.—Section 10 of Act No. 99 of the Acts of 1953 is amended to read as follows:

"Section 10. The clerk of the circuit court shall, ex officio, be the clerk of the civil and criminal court, and shall keep such calendar, minutes and records of the court and the cases pending therein and the disposition thereof, and attend upon and perform the duties of the clerk thereof as is required of him by law as clerk of the circuit court. The costs and fees of the civil division of the court shall be the same as those allowed in similar cases in the court of common pleas. All books necessary for the clerk of the court shall be provided by the County Commissioners of Horry County. The commissioners shall assign an office in the courthouse for the judge. Courts shall be held in the courtroom provided for the circuit courts unless otherwise ordered by the court."

SECTION 11. Sec. 11 of Act 99 of 1953 amended—transfer of cases to—judgments, decrees and verdicts.—Section 11 of Act No. 99 of the Acts of 1953 is amended to read as follows:

"Section 11. All cases now pending in the circuit court, whether civil or criminal, which after the passage of this act would be within the jurisdiction of The Civil and Criminal Court of Horry, and all cases where the demand is reduced to give such court jurisdic-

tion, may be transferred to this court by agreement of the parties. All judgments, decrees and verdicts of the court shall be entered by the clerk on the records of the circuit court as now provided for the circuit court. A judgment, when so entered, shall have the same force and effect and be enforced in the same manner as those of the circuit courts."

SECTION 12. Sec. 12 of Act 99 of 1953 amended—sheriff—costs and fees.—Section 12 of Act No. 99 of the Acts of 1953 is amended to read as follows:

"Section 12. The sheriff of the county, or one or more of his deputies as ordered by him, shall attend all sessions of the court, shall be subject to its orders, and shall execute the orders, writs and mandates of the court as required by law of him in reference to the circuit courts. The costs and fees of the sheriff and clerk of court in all cases shall be the same as those allowed in similar cases in the circuit court."

SECTION 13. Sec. 13 of Act 99 of 1953 amended—pay of jurors and witnesses.—Section 13 of Act No. 99 of the Acts of 1953, is amended to read as follows:

"Section 13. Jurors and witnesses in attendance upon any session of the court shall receive the same compensation as allowed jurors and witnesses in the circuit court."

SECTION 14. Sec. 14 of Act 99 of 1953 amended—judge—appointment—term—oath—compensation—not to practice law—special judge.—Section 14 of Act No. 99 of the Acts of 1953, as amended, is further amended to read as follows:

"Section 14. There shall be a judge of The Civil and Criminal Court of Horry who shall be an attorney resident within the jurisdictional limits thereof, with at least five years' actual experience in the practice of law, and who shall be commissioned by the Governor upon the recommendation of a majority of the Horry County Bar Association duly assembled, the recommendation to be arrived at as follows: A meeting of the Horry County Bar Association shall be called by written notice sent by mail to each member of the Horry County Bar Association. At such meeting there shall be a nomination by secret ballot and a vote by secret ballot, and the person receiving the majority of the votes cast in the election shall be the person recommended by the Horry County Bar Association for

the appointment of Judge of The Civil and Criminal Court of Horry. The judge shall hold office for four years and until his successor has been appointed and qualifies. The judge, before entering upon the duties of his office, shall take the same oath of office as required by law of circuit judges and shall be commissioned in the same manner as circuit judges. He shall receive twelve thousand dollars annual salary, to be paid monthly by the county treasurer upon the warrant of the board of county commissioners. The judge shall not engage in the practice of law in any manner whatsoever; *provided*, that he shall be allowed to conclude such pending cases as he may have at the time of his appointment. In cases of absence or inability of the county judge at the time fixed for holding any term of the court, the Governor may appoint some other suitable person (not necessarily a resident lawyer of Horry County) to hold the term of court as judge upon the recommendation of a majority of the members of the Horry County Bar, such special judge to be paid at the same rate and in the same manner as the resident judge.

There is hereby appropriated from the General Fund of Horry County the sum of one thousand dollars, if so much be necessary, to be applied to the salary of the judge for the remainder of the fiscal year 1960-61."

SECTION 15. Sec. 15 of Act 99 of 1953 amended—stenographer.—Section 15 of Act No. 99 of the Acts of 1953, as amended, is further amended to read as follows:

"Section 15. An experienced stenographer shall be appointed by the court who shall be in attendance in all cases and who shall hold office during the pleasure of the judge and who shall be the official secretary to the judge. The stenographer shall receive such compensation as may be provided annually in the county appropriations act which sum shall be payable monthly. In addition the stenographer shall be entitled to receive fees for transcripts and other charges as are now allowed for stenographers of the circuit court."

SECTION 16. Sec. 16 of Act 99 of 1953 amended—bailiffs.—Section 16 of Act No. 99 of the Acts of 1953 is amended to read as follows:

"Section 16. The presiding judge of the court may appoint a sufficient number of bailiffs, not exceeding two, to attend upon the court and execute the orders thereof. Such bailiffs shall receive as compensation the same amount as is provided for bailiffs in attend-

ance upon the circuit court, and shall not be retained in attendance upon the court longer than the exigencies of the business of the court shall require.”

SECTION 17. Sec. 17 of Act 99 of 1953 amended—jurisdiction as to divorce, annulment and adoption.—Section 17 of Act No. 99 of the Acts of 1953, as amended, is further amended to read as follows:

“Section 17. The Civil and Criminal Court of Horry shall have concurrent jurisdiction with the court of common pleas in causes of divorce, annulment and adoption.”

SECTION 18. Grand jury—indictments—transfer of trials to general sessions court.—The grand jury drawn for and serving in the Court of General Sessions of Horry County shall constitute the grand jury of the county court, and shall so serve and act upon all necessary indictments of the court. The grand jury shall attend upon the sessions of the county court whenever notified to do so by request of the circuit solicitor and order of the county judge. The solicitor of the Twelfth Judicial Circuit shall appear at the regular terms of the court of general sessions and hand out indictments at that time to the grand jury or at such other times as the judge of the county court may summons the grand jury to meet and act upon indictments. After the grand jury has acted upon indictments presented to it, then the solicitor shall, within forty-eight hours, endorse on the indictment if the case is to be tried in the county court, and the defendant, or his attorney, shall be notified of the endorsement by notice or by announcement in open court. The defendant, within four days after the endorsement exclusive of the day on which the endorsement was made, shall have the right to have any indictment endorsed for trial to the county court placed for trial in the court of general sessions by notice in writing served on the solicitor and filed in the court of general sessions. Thereafter, the defendant may apply to the judge of the court in which his case is pending for an order transferring his case for trial to the other court.

SECTION 19. Circuit Solicitor—duties of.—The solicitor of the Twelfth Judicial Circuit shall represent the State in any criminal matters that may properly come before the court.

SECTION 20. Sec. 6 of Act 860 of 1956 amended—referral of certain cases.—Section 6 of Act No. 860 of the Acts of 1956 is amended to read as follows:

“Section 6. The Judge of The Civil and Criminal Court of Horry, or the clerk thereof, may refer to the Master or any practicing attorney in Horry County any default case pending in the court, or any consent matter, or the judge may refer any other matter which does not require a jury for the determination of the facts.”

SECTION 21. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 22. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R197, H1485)

No. 128

An Act To Amend Section 15-645, Code Of Laws Of South Carolina, 1952, Relating To The Appointment Of A Special Judge For The County Court Of Greenville County So As To Further Provide For The Powers Of Such Special Judge.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sec. 15-645, 1952 Code, amended—powers and duties of special judge.—Section 15-645, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso:

“Provided, that such special county judge shall have the same powers and duties as the regularly appointed county judge.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R199, H1159)

No. 129

An Act To Repeal Section 28-861.2-11, Code Of Laws Of South Carolina, 1952, Relating To Commercial Trawling For Shrimp In Beaufort County On Sunday.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-861.2-11, 1952 Code, repealed.—Section 28-861.2-11, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R200, H1162)

No. 130

An Act To Repeal Act No. 827 Of 1958, Relating To Exporting Of Clams In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 827 of 1958 repealed.—Act No. 827 of 1958 is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R201, H1163)

No. 131

An Act To Amend Item (4) Of Section 28-795.1, Code Of Laws Of South Carolina, 1952, Relating To Cultivation Of Seed Oysters For Market, So As To Delete A Reference To A Code Section No Longer In Existence.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 4 of Section 28-795.1, 1952 Code, amended—seed oysters—containers and measurements.—Item (4) of Section 28-795.1, Code of Laws of South Carolina, 1952, is amended by striking on line 2 the following: “under the provisions of Section 28-783.1”, so that when amended the item shall read as follows:

“(4) Seed oysters need not be placed in containers as required for shell stock oysters but the volume of seed oysters shall be measured by the South Carolina bushel or its equivalent of eleven and one-half South Carolina bushels to each cubic yard.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R202, H1172)

No. 132

An Act To Amend Section 28-861, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Area Where Off-shore Trawling For Shrimp And Prawn Is Permissible, So As To Further Define The Area.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-861, 1952 Code, amended—offshore trawling for shrimp and prawn permissible—season—area.—Section 28-861, Code of Laws of South Carolina, 1952, as amended, is further amended by adding on line 11 of the section as found in Article 7, Section 1 of Act 259 of 1959 after “80-50.4 W.,” the following: “thence running true east across Calibogue Sound to a proposed marker (SC 2), latitude 32-07.1 N. and longitude 80-49.6 W.,” so that when amended the section shall read as follows:

“Section 28-861. It shall be lawful to trawl for shrimp or prawn seaward from the boundary hereinafter described from March fifteenth to December fifteenth, both inclusive: beginning at a point on the west bank of Wright River at its entrance to the sea extending eastward across the mouth of the river to the southernmost tip of Turtle Island; thence following the shore line of Turtle Island to a point on the northeasternmost tip of Turtle Island; thence turning and running true east in a line tangent to the southernmost tip of Bloody Point; thence turning and running northeasterly along Dausfuskie Island to a proposed marker (SC 1), latitude 32-07.1 N. and longitude 80-50.4 W.; thence running true east across Calibogue Sound to a proposed marker (SC 2), latitude 32-07.1 N. and longitude 80-49.6 W.; thence seaward following shore line of Hilton Head Island to a piling to be set by the Wildlife Resources Department at the low watermark due East of old Fort Walker on Hilton Head Island, thence to flashing light designated on C. & G. S. chart 1240

as FL ev 4 sec '1', thence to bell buoy No. 2; at the northern tip of Hilton Head Island; running easterly through bell buoy No. 2; thence continuing to red lighted gong buoy; thence to black day marker No. A-19 at the mouth of Station Creek; thence seaward around Bay Point Island to the tip of the spur at Coles Care; thence turning and running true east to a proposed marker (SC 3) at latitude 32-16.0 N. and longitude 80-35.9 W.; thence continuing true east to a proposed marker (SC 4) at latitude 32-16.0 N. and longitude 80-35.5 W. on the northern edge of the highland of Bull's Point; thence turning seaward and following the shore line, but excluding all creeks, to a point at the northernmost point of Fripp Island at Fripp's Inlet; thence turning and running true north to the shore line of Hunting Island; thence along the seaward edge of Hunting Island across the mouth of Johnson Creek to a point at the northernmost part upon the island; thence northwesterly to day marker A-11; thence to day marker A-9; thence to day marker A-7; thence to day marker A-5; thence to day marker A-4; thence to day marker A-2; thence to day marker A-1; thence to flashing range light on the Combahee bank; thence to a proposed marker (SC 5) on the west of Otter Island at latitude 32-29.1 N. and longitude 80-25.2 W.; thence seaward along the shore line of Otter Island to a point at the mouth of Jefford and Fish Creek on the southern tip of Otter Island opposite Pine Island; thence turning and running in a southeasterly direction to the southernmost tip of Bay Point on Edisto Island; thence along the shore line of Edisto Island, excluding all creeks, to a point on the western bank of North Edisto River; thence due east across the North Edisto River to a point at the southwesternmost tip of Seabrook Island; thence seaward along the shore line of Seabrook and Kiawah Islands, excluding all inlets, to Sandy Point; thence northeasterly to buoy C-7; thence in a northerly direction to the southwesternmost tip of Folly Island; thence along Folly Island across Lighthouse Inlet along the seaward side of Morris Island to a point at Cummings Point where the jetty meets the beach; thence in a northeasterly direction across the Charleston Harbor to a point on Sullivans Island where the north jetty touches the island; thence along Sullivans Island, the Isle of Palms, Dewees Island, Capers Island, Bull Island (excluding all creeks) to a point at the northernmost tip of Bull Island; thence in a straight line northeasterly to the westernmost tip of Sandy Point; thence seaward along Raccoon Key to its easternmost tip; thence

southeasterly to round the seaward side of Cape Romain and northward along the seaward shore of Cape Island to a point on the northernmost tip of said island; thence turning and running in a northwesterly direction to a point on the southeasternmost bank of Alligator Creek; thence turning and running in a northeasterly direction across Alligator Creek to a point on its northeastern bank; thence turning seaward and running along the shore line of Murphy Island to a point on the western bank of the Santee River across the mouth thereof to a point on the southwestern tip of Cedar Island; thence along Cedar Island across the mouth of the North Santee Bay to Santee Point; thence along the seaward shore of South Island to the northernmost point on the easternmost peninsula of the island; thence in a straight line to Nun Buoy 2 N.; thence turning and running in a northwesterly direction following the north jetty to the southernmost tip of North Island; thence northeasterly following the shore line to the North Carolina-South Carolina boundaries, excluding all inlets."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R203, H1214)

No. 133

An Act To Amend Section 28-1214, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Fishing Regulations In The Waters Of Lake Marion, Lake Moultrie, The Diversion Canal And The Tail Canal, So As To Further Provide For The Use Of Seines.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 5 of Section 28-1214, 1952 Code, amended—use of seines—fee.—Item (5) of Section 28-1214, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it in its entirety and inserting in lieu thereof the following:

"(5) Seines not exceeding one hundred feet in length may be used for the catching of hickory shad to be used for bait. A license

fee of fifty dollars shall be charged for each seine over thirty feet in length.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R204, H1265)

No. 134

An Act To Eliminate The Size Limit On Fresh Water Game Fish And To Amend Section 28-1214, As Amended, Section 28-1015, Code Of Laws Of South Carolina, 1952, Act No. 898 Of 1952, As Amended, And Subsection (e) Of Section 4 Of Act No. 640 Of 1954, Relating To The Catching Of Fish In This State, So As To Further Provide Therefor, And To Repeal Sections 28-584 And 28-1226, Code Of Laws Of South Carolina, 1952, Relating To The Same.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. No size limit on fresh water game fish.—There shall be no size limit on any fresh water game fish caught in South Carolina.

SECTION 2. Item 3 of Section 28-1015, 1952 Code, repealed.—Section 28-1015, Code of Laws of South Carolina, 1952, is amended by deleting Item 3, which relates to the size limit of fish which may be caught in certain areas of the Catawba and Wateree rivers.

SECTION 3. Subsection (c), Section 84 of Act 898 of 1952 repealed.—Act No. 898 of 1952, as amended, is further amended by deleting Subsection (c) of Section 84, which relates to the size limit of game fish which may be caught in certain artificial lakes in Game Zone No. 2.

SECTION 4. Item 7 of Section 28-1214, 1952 Code, repealed.—Section 28-1214, Code of Laws of South Carolina, 1952, as amended, is further amended by deleting Item 7, which prohibits the use of certain lights while fishing.

SECTION 5. Subsection (e), Section 4 of Act 640 of 1954 amended—use of rifles.—Subsection (e) of Section 4 of Act No. 640 of 1954 is amended by deleting the following words: "Use of high powered lights or flashlights of over five cells are hereby prohibited while fishing, and", so that when amended the subsection shall read as follows:

"(e) No person shall have any rifle in his possession in any boat, nor shall any person fire a rifle within one hundred yards from the shore line of such waters."

SECTION 6. Section 20 of Act 898 of 1952 amended—bag limits on fresh water game fish—penalties.—Section 20 of Act No. 898 of 1952, relating to bag limits on fish, is amended to read as follows:

"Section 20. (a) It shall be unlawful for any person in any one day to catch more than ten bass, or striped bass or rockfish, or a combination of both, from the rivers, lakes and streams in this State. *Provided*, that no more than two striped bass or rockfish shall be caught in any one day from Lake Murray, Lake Greenwood, Catawba-Wateree Lakes, Clark Hill Reservoir, Stevens Creek, Hartwell Dam and their tributaries. *Provided*, further, that in that portion of Black River that lies in Game Zone 6 it shall be unlawful for any person in any one day to catch more than eight bass, striped bass or rock fish or a combination of both. *Provided*, further, that the director of the division of game of the Wildlife Resources Department may increase such limits in these restricted waters and may make such restrictions applicable to other bodies of water when such waters are stocked with striped bass or rockfish by the Wildlife Resources Department.

(b) It shall be unlawful for any person in any one day to catch more than twenty-five game fish, including white bass, which are other than bass or rockfish, from the rivers, lakes and streams in this State. *Provided*, that no more than twenty game fish shall be caught in any one day from that portion of Black River that lies in Game Zone 6. *Provided*, further, there shall be no limit on chain pickerel, commonly known as jack fish.

(c) Whenever the limits provided in Items (a) and (b) of this section are in conflict with a reciprocal agreement with another state, such limits shall not apply.

(d) It shall be unlawful for any person to have in his possession more than the number of game fish authorized to be caught by one

person in any two days. *Provided*, that the provisions of this item shall not apply to any person who has game fish stored in a freezer in any residence which is not used as, or connected with, a store, service station, eating establishment or any such similar commercial establishment.

(e) Any person violating the provisions of this section shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or imprisonment for not less than ten days nor more than thirty days."

SECTION 7. Repeal—Sections 28-584 and 28-1226, 1952 Code, repealed.—Sections 28-584 and 28-1226, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R207, S159)

No. 135

An Act To Amend Act No. 1022 Of The Acts Of 1950, Relating To The Beaufort County Board Of Education, So As To Provide For The Appointment Of The Members To The Board And For The Future Election Of Members To The Board, And To Repeal Section 4 Of Act No. 1022 Of The Acts Of 1950.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 1022 of 1950 amended—Beaufort County Board of Education—members—terms—vacancies.—Section 3 of Act No. 1022 of the Acts of 1950 is amended by striking subsections (2) and (3) and inserting in lieu thereof the following:

"(2) The following members of the County Board of Education shall be appointed by the Governor for the following terms: Mr. C. E. Ulmer, Jr., 12-31-64; Mr. C. E. McLeod, 12-31-64; Mr. Wyatt B. Pringle, 12-31-64; Mr. Edwin L. Merrick, 12-31-62; and Mr. Julian S. Levin, 12-31-62. Upon the expiration of the terms of the members herein provided, their successors shall be nominated in the primaries and elected in the general election on each even year thereafter for terms of four years."

“(3) Any vacancy occurring shall be filled by appointment for the unexpired term.”

SECTION 2. Repeal—Section 4 of Act 1022 of 1950 repealed.—Section 4 of No. 1022 of the Acts of 1950 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R209, S169)

No. 136

An Act To Amend Act No. 311 Of The Acts Of 1959, Relating To Motor Vehicle Safety Responsibility, So As To Delete Therefrom Section 14 In Its Entirety Which Authorizes The Revocation Of Licenses Of Uninsured Drivers Who Receive A Certain Number Of Points For Traffic Violations Unless Proof Of Financial Responsibility Is Established; And To Direct That All Drivers' Licenses And Operating Privileges Suspended By Authority Of Section 14 Be Restored.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14 of Act 311 of 1959 repealed.—Section 14 of Act No. 311 of the Acts of 1959, authorizing the revocation of licenses of uninsured drivers who receive a certain number of points for traffic violations unless proof of financial responsibility is established, is deleted in its entirety from the act.

SECTION 2. Certain drivers' licenses and privileges to be restored.—All drivers' licenses or operating privileges suspended by authority of Section 14 of Act No. 311 of the Acts of 1959 are hereby restored.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R211, S255)

No. 137

An Act To Create The Office Of Road Supervisor In Dorchester County; To Provide For His Term Of Office, Powers, Duties And Compensation; To Amend Section 14-1805, Code Of Laws Of South Carolina, 1952, Relating To The Powers And Duties Of The Dorchester Board Of County Directors, So As To Provide For The Powers And Duties Of The Road Supervisor; And To Amend Section 14-1806, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of Certain Officers In Dorchester County, So As To Provide For A Bond For The Road Supervisor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of Road Supervisor created for Dorchester County.—There is hereby created in Dorchester County the office of Road Supervisor, who shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation. The term of the first Road Supervisor shall be until December 31, 1962. Thereafter, the term shall be for two years. Any vacancy occurring shall be filled for the unexpired term.

SECTION 2. Supervisor to sign warrants.—No county or public fund shall be expended for the upkeep, maintenance, repair or construction of county highways, roads, bridges, and ferries unless expended on warrants signed by the Road Supervisor.

SECTION 3. Compensation.—The Road Supervisor shall receive such salary as shall be provided in the annual county appropriation act.

SECTION 4. Section 14-1805, 1952 Code, amended—powers and duties of Supervisor.—Section 14-1805, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: "*Provided*, the Road Supervisor shall have exclusive jurisdiction over all county highways, roads, bridges and ferries in Dorchester County, all road machinery, equipment, trucks, tools and supplies used in connection therewith, and shall be charged with the proper upkeep, maintenance, repair and construction of all such highways, roads, bridges and ferries. The Road Supervisor shall also have exclusive jurisdiction of all persons sentenced to the Public Works of Dorchester County and such persons shall be subject to his order, care and keeping."

SECTION 5. Section 14-1806, 1952 Code, amended—bond of Supervisor.—Section 14-1806, Code of Laws of South Carolina, 1952, is amended by inserting immediately following line 11, the following:

“Road Supervisor\$5,000.00” so that, when so amended, the section shall read as follows:

“Section 14-1806. The following officers in the county, for the faithful performance of the duties of office, shall, before entering upon the duties of office, give bonds in the following amounts:

County auditor	\$ 1,000.00
County treasurer	30,000.00
County superintendent of education	5,000.00
Judge of probate	5,000.00
Clerk of court	2,000.00
Sheriff	10,000.00
Chairman of board of county directors	5,000.00
Other members of county board of directors	1,000.00
Road supervisor	5,000.00

All bonds given shall be in some surety company licensed to do business in this State. Such bonds shall be approved by the Attorney General, and the premiums thereon shall be paid by the county treasurer upon warrants approved by the chairman of the county board of directors.”

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R212, S257)

No. 138

An Act To Authorize Commissioners Of Public Works Of Incorporated Cities And Towns In Greenwood County To Borrow Money Upon Certain Conditions; To Provide For The Payment Thereof And To Ratify Any Borrowings Heretofore Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County municipality—boards of commissioners of public works—borrowing.—Boards of Commission-

ers of Public Works of incorporated cities or towns in Greenwood County may borrow, on their negotiable notes or certificates of indebtedness to mature not more than five years after date of issue and to bear interest at not more than six per cent per annum, sums not exceeding the estimated net revenues from the combined operation of their water, electric or gas utility systems during the term of such indebtedness, and may secure the payment of unpledged notes or certificates by pledge of such net revenues for such period, or by other sources of anticipated income during such period.

SECTION 2. Prior loans validated.—All borrowings heretofore made by such Boards of Commissioners are hereby ratified and validated.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R213, S266)

No. 139

An Act To Provide For And Establish The Office Of Ministerial Recorder In And For The City Of Rock Hill And To Establish Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Rock Hill to have ministerial recorder.—There is hereby established in and for the City of Rock Hill an office to be known as the office of ministerial recorder.

SECTION 2. Powers and duties.—The ministerial recorder or recorders shall have power to issue summonses, subpoenas, arrest warrants and search warrants for the Recorder's Court but shall have no other judicial power.

SECTION 3. Further.—The ministerial recorder or recorders shall have jurisdiction to issue summonses, subpoenas, arrest warrants and search warrants in all cases arising under the ordinances of the City of Rock Hill and shall also have all such powers, duties and

jurisdiction to issue summonses, subpoenas, search warrants and arrest warrants in criminal cases as are now conferred by law upon the magistrates appointed and commissioned for the County of York.

SECTION 4. Election—salary—oath.—The ministerial recorder or recorders shall be elected by the Mayor and City Council of the City of Rock Hill and shall hold office at the pleasure of the City Council. The salary of the ministerial recorder or recorders shall be fixed by the Mayor and City Councilmen of the City of Rock Hill. Before entering upon the discharge of the duties of the office of ministerial recorder, the person or persons elected shall take and prescribe to the usual oath of office.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R214, H1111)

No. 140

An Act To Amend Subsection (a) Of Section 15 Of Act No. 311 Of The Acts Of 1959, As Amended, Relating To The Uninsured Motorists Fund, So As To Further Provide For The Registering And Licensing Of Certain Motor Scooters, Motor Bikes Or Similar Vehicles.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (a), Section 15 of Act 311 of 1959, amended—license fee for motor scooters.—Subsection (a) of Section 15 of Act No. 311 of the Acts of 1959, as amended, is further amended by adding the following paragraph at the end thereof:

“In addition to any other fees prescribed by law, every person registering and licensing any self-propelled motor scooter or motor bike or similar vehicle propelled by a motor not exceeding ten-brake horsepower shall pay at the time of registering and licensing the same a fee not exceeding five dollars.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R215, H1301)

No. 141

An Act To Amend Act No. 701 Of 1956 Requiring The Payment Of County And Municipal Taxes Upon A Motor Vehicle Before It Shall Be Registered And Licensed, So As To Provide That The Vehicle Owner Must Also Have Paid All Such Taxes For Which He Was Liable On Any Vehicle Registered In His Name During The Preceding Three Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 701 of 1956 amended—no vehicle to be registered unless taxes paid.—Section 1 of Act No. 701 of 1956 is amended by striking it out in its entirety and inserting in lieu thereof the following :

“Section 1. No vehicle shall be registered and licensed by the Highway Department unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant on all vehicles registered in his name during the preceding three years have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made. A transfer between members of the same family shall not, for the purpose of this section, be considered a bona fide purchase.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R216, H1385)

No. 142

An Act To Amend Act No. 697, Acts And Joint Resolutions Of The General Assembly, 1960, Providing For The Retention

Of Business Records By Banks, Classification Of Records By The State Board Of Bank Control And Other Matters Relating To Records Of Banks, So As To Delete Therefrom The Requirement That Banks Retain Capital Stock Ledgers And Certain Other Records.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 697 of 1960 amended—banks to retain certain records.—Act No. 697 of 1960 is amended by deleting from Section 1 of the act the following: “its capital stock ledger, its daily statements of condition, its general journal, its investment ledger, its copies of bank examination reports,” so that when so amended Section 1 of Act No. 697 shall read as follows:

“Section 1. Every bank shall retain its business records for such periods as are or may be prescribed by or in accordance with the terms of this act. Each bank shall retain permanently the minute books of meetings of its shareholders and directors, and all records which the State Board of Bank Control shall, in accordance with the terms of this law, require to be retained permanently. All other bank records shall be retained for such periods as the State Board of Bank Control shall, in accordance with the terms of this act, prescribe.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R218, H1402)

No. 143

An Act To Amend Section 10-1405, Code Of Laws Of South Carolina, 1952, Providing That References In Certain Counties Shall Be Referred To The Judges Of Probate For The Counties, So As To Remove Newberry County From The Provisions Of The Section And To Validate Those References Held By Qualified Persons Other Than Probate Judges.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-1405, 1952 Code, amended—Newberry County deleted from section.—Section 10-1405, Code of Laws of South Carolina, 1952, is amended by deleting therefrom the word “Newberry”, so that when so amended the section shall read as follows:

“Section 10-1405. In the counties of Allendale, Bamberg, Colleton, Darlington, Dorchester, Edgefield, Greenwood, McCormick, Marion, Oconee and Union the reference shall be to the judge of probate for said counties, respectively. In the county of Orangeburg it shall be to the judge of the county court, and in the counties of Chester, Lexington, Saluda and York to special referees. When the duties, powers or functions of the clerk of court of Lexington County are affected by this section the clerk shall retain concurrent authority.”

SECTION 2. Certain references in Newberry County validated.—All references held in Newberry County prior to the effective date of this act by qualified persons other than the judge of probate, pursuant to court order, are hereby validated.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R219, H1447)

No. 144

An Act To Amend Section 68-175, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Rates Of Contributions By Employers Under The South Carolina Unemployment Compensation Law, So As To Increase The Tax Rates Of Employers Who Have Deficit Reserves.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 68-175, 1952 Code, amended—rates of contributions.—Section 68-175, Code of Laws of South Carolina, 1952, as last amended by Act 254 of 1955, is further amended by adding after item (7) the following:

“Provided, however, that if, on the computation date as of which an employer’s rate is to be computed, as provided in Section 68-174, the total of all his contributions paid on his own behalf for all past periods is less than the total benefits charged to his account for all such periods his contribution rate for the period specified in Section 68-174 shall be as follows :

(a) Three and five hundredths per cent, if such deficit equals five per cent but is less than ten per cent of his most recent annual payroll ;

(b) Three and forty hundredths per cent, if such deficit equals ten per cent but is less than fifteen per cent of his most recent annual payroll ;

(c) Three and seventy-five hundredths per cent, if such deficit equals fifteen per cent but is less than twenty per cent of his most recent annual payroll ; and

(d) Four and ten hundredths per cent, if such deficit equals or exceeds twenty per cent of his most recent annual payroll.

The provisions of Section 68-176 shall not apply to any employer whose rate is more than two and seven tenths per cent.”

The section when amended shall read as follows :

“Section 68-175. Each employer eligible for a rate computation shall have his rate determined in the following manner. If on the computation date as of which an employer’s rate is to be computed as provided in Section 68-174, the total of all his contributions paid on his own behalf for all past periods exceeds the total benefits charged to his account for all such periods his contribution rate for the period specified in Section 68-174 shall, except for the provisions of Section 68-176, be as follows :

(1) Two and thirty-five hundredths per cent, if such excess equals or exceeds five per cent but is less than six per cent of his most recent annual payroll ;

(2) Two per cent, if such excess equals or exceeds six per cent but is less than seven per cent of his most recent annual payroll ;

(3) One and sixty-five hundredths per cent, if such excess equals or exceeds seven per cent but is less than eight per cent of his most recent annual payroll ;

(4) One and thirty hundredths per cent, if such excess equals or exceeds eight per cent but is less than nine per cent of his most recent annual payroll ;

(5) Ninety-five hundredths of one per cent, if such excess equals or exceeds nine per cent but is less than ten per cent of his most recent annual payroll;

(6) Six-tenths of one per cent, if such excess equals or exceeds ten per cent but is less than eleven per cent of his most recent annual payroll; and

(7) Twenty-five hundredths of one per cent, if such excess equals or exceeds eleven per cent of his most recent annual payroll.

Provided, however, that if, on the computation date as of which an employer's rate is to be computed, as provided in Section 68-174, the total of all his contributions paid on his own behalf for all past periods is less than the total benefits charged to his account for all such periods his contribution rate for the period specified in Section 68-174 shall be as follows:

(a) Three and five hundredths per cent, if such deficit equals five per cent but is less than ten per cent of his most recent annual payroll;

(b) Three and forty hundredths per cent, if such deficit equals ten per cent but is less than fifteen per cent of his most recent annual payroll;

(c) Three and seventy-five hundredths per cent, if such deficit equals fifteen per cent but is less than twenty per cent of his most recent annual payroll; and

(d) Four and ten hundredths per cent, if such deficit equals or exceeds twenty per cent of his most recent annual payroll.

The provisions of Section 68-176 shall not apply to any employer whose rate is more than two and seven tenths per cent.

Any employer may make voluntary payments in addition to the contributions required in this section, in accordance with regulations adopted by the commission, and by so doing obtain the benefit of a lower rate of required contributions, but such voluntary payments once made shall not be refunded in whole or in part.

In determining an employer's contribution rate, contributions for the quarter immediately preceding the computation date shall be considered as paid before the computation date if they are paid by the employer on or before the end of the month following such quarter or within any period of grace allowed by the commission for payment of such quarter's contribution."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R220, H1527)

No. 145

An Act To Create The Office Of Tax Collector For Lancaster County, To Provide For His Employment, To Prescribe His Duties, And To Repeal Sections 65-3551 Through 65-3553, Code Of Laws Of South Carolina, 1952, Which Created The Office Of Executive Secretary Of The Tax Equalization Board Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of tax collector created for Lancaster County—bond—salary.—There is hereby created the office of Tax Collector for Lancaster County who shall be employed by the governing body of the county with the approval of a majority of the county legislative delegation, including the Senator, and shall serve so long as his services are satisfactory to that body. He shall be bonded with a bonding company approved by the Treasurer of Lancaster County in the sum of twenty-five thousand dollars, the premium of which shall be paid from the general fund of the county. The tax collector shall receive such salary and operating expenses as may be provided in the annual appropriation act of the county from year to year.

SECTION 2. Duties.—The tax collector shall confer with the auditor and treasurer of the county from time to time and shall cooperate with these county officers whenever necessary to accomplish his prescribed duties. He shall make a constant search of the county records and shall constantly observe and investigate in order to locate any taxable property in the county which has not been returned for tax purposes.

SECTION 3. Fee—mileage—sell property—remit funds—report.—Such fee as may be allowed by law for executions shall be remitted to the Treasurer of Lancaster County in full. The tax collector shall be entitled to mileage at the rate of ten cents per mile while making necessary trips for executions. He shall be allowed mileage for one trip per execution, provided the trip is made. He

is authorized to sell property for delinquent taxes under the same terms and conditions as now provided by law for sheriffs. On the last day of each month, the tax collector shall remit to the Treasurer of Lancaster County all sums collected by him during the month, and shall at the same time submit a full report including all sums collected, the parties from whom collected, and the circumstances surrounding the collections. The report shall also include a complete list of abatements.

SECTION 4. Repeal—Sections 65-3551 through 65-3553, 1952 Code, repealed.—Sections 65-3551 through 65-3553, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R221, H1444)

No. 146

An Act To Amend Title 68 Of The Code Of Laws Of South Carolina, 1952, As Amended, Known And Cited As The South Carolina Unemployment Compensation Law, So As To Change The Word "Employing" To "Employment"; Redefine "State"; Redefine "Exempt Employment"; To Remove From Exemption Services Performed In The Employ Of An Instrumentality Of The United States Which Is Neither Wholly Nor Partially Owned By The United States As Provided In Public Law 86-778 Granting Permission To The States To Cover Such Instrumentalities Under The Unemployment Compensation Law, Services In The Employ Of "Feeder Organizations" Of Nonprofit Organizations, Services Performed In The Employ Of A Voluntary Employee Beneficiary Association, Services Performed In The Employ Of An Agricultural Or Horticultural Organization; And To Change The Time Limit For Filing Request For Election As To Coverage.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 68-11, 1952 Code, amended—"employer" defined.—Section 68-11, Code of Laws of South Carolina, 1952,

defining "Employer" is amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68.11. 'Employer' means:

1. (a) Prior to January 1, 1956, any employing unit which, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or preceding calendar year has or had in employment, eight or more individuals (irrespective of whether the same individuals are or were employed in each such week);

(b) For the calendar year beginning January 1, 1956, any employing unit which, in each of twenty different weeks within the calendar year whether or not such weeks are or were consecutive, has in employment, four or more individuals (irrespective of whether the same individuals are or were employed in each such week);

(c) On and after January 1, 1957, any employing unit which, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year has or had in employment, four or more individuals (irrespective of whether the same individuals are or were employed in each such week);

(d) For the purposes of subsections 1 (a), 1 (b), and 1 (c), active officers of a corporation shall be counted as in employment.

2. Any employing unit which acquired the organization, trade or business or substantially all the assets of another which at the time of such acquisition was an employer subject to this Title; *provided*, however, that if only a part of the organization, trade, business or assets of another is acquired the employing unit acquiring such part shall not be deemed an employer unless such part, if conducted separately, would have been liable as an employer under this Title.

3. Any employing unit which acquired the organization, trade, or business or substantially all the assets of another employing unit, if the employment record of such employing unit subsequent to such acquisition, together with the employment record of the acquired unit prior to such acquisition, both within the same calendar year, would be sufficient to constitute such employing unit an employer subject to this Title under item (1) of this section; *provided*, however, that if only a part of the organization, trade, business or assets of another is acquired by an employing unit the employment record of such part prior to acquisition shall be considered and not the whole employment

record of the organization, trade or business from which such part was acquired, as if such part was conducted separately.

4. Any employing unit which has elected to become fully subject to this Title pursuant to Section 68-252.

5. Any employing unit which, having become an employer under items 1, 2, 3, or 4 of this section has not, under Section 68-253, ceased to be an employer subject to this Title."

SECTION 2. Section 68-16, 1952 Code, amended—"State" defined.—Section 68-16, Code of Laws of South Carolina, 1952, relating to the definition of "State" is amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-16. 'State' includes, in addition to the states of the United States, the District of Columbia and Puerto Rico."

SECTION 3. Section 68-22, 1952 Code, amended—"employment" defined.—Section 68-22, Code of Laws of South Carolina, 1952, relating to exempt employment is amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-22. The term 'employment' as used in this Title shall not include:

- (1) Agricultural labor as defined in Section 68-3;
- (2) Domestic service in a private home, local college club or local chapter of a college fraternity or sorority;
- (3) Casual labor not in the course of the employing unit's trade or business;
- (4) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;
- (5) Service performed by an individual in the employ of his son, daughter or spouse and service performed by a child under the age of twenty-one in the employ of his father or mother;
- (6) Service performed in the employ of the United States Government or any instrumentality of the United States immune under the Constitution of the United States from the contributions imposed by this Title, except that to the extent the Congress of the United States shall permit states to require instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation act all of the provisions of this Title shall be applicable to such instrumentalities and to services performed for such instrumentalities, in the same manner, to the same extent and on the same terms as to all other employers; *provided*, that if this

State shall not be certified for any year by the Secretary of Labor or his successors under the Federal Internal Revenue Code, the payments required of such instrumentalities with respect to such year shall be refunded by the Commission from the funds in the same manner and within the same period as is provided in Section 68-205 with respect to contributions erroneously collected;

(7) Service performed in the employ of this State, any other state, any political subdivision thereof or any instrumentality of any one or more of the foregoing which is wholly owned by this State or by any one or more states or political subdivisions and any service performed in the employ of any instrumentality of this State or of one or more states or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the Constitution of the United States from the tax imposed by Section 3301 of the Federal Internal Revenue Code;

(8) Service with respect to which unemployment compensation is payable under an unemployment compensation system established by an act of Congress; *provided*, that the Commission shall enter into agreements with the proper agencies under such act of Congress, which agreements shall become effective ten days after publication thereof in the manner provided in Section 68-63 for general rules, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this Title, acquired rights to unemployment compensation under such act of Congress or who have, after acquiring potential rights to unemployment compensation under such act of Congress, acquired rights to benefits under this Title;

(9) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office; *provided*, that service performed in the employ of an organization operated for the primary purpose of carrying on a trade or business for profit shall not be exempt on the ground that all of its profits are payable to one or more organizations exempt under this paragraph; and *provided*,

further, that service exempt under this paragraph shall not include service with respect to which a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State unemployment fund;

(10) Service performed in any calendar quarter in the employ of any organization exempt from Federal income tax under Section 501 (a) (other than an organization described in Section 401 (a)) or under Section 521 of the Federal Internal Revenue Code of 1954, if the remuneration for such service is less than fifty dollars;

(11) Service performed in the employ of a school, college or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college or university;

(12) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

(13) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to State law and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to State law;

(14) Service performed by an individual for an employer as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such employer is performed for remuneration solely by way of commission;

(15) Service performed in the employ of a foreign government, including service as a consular or other office or employee or a non-diplomatic representative."

SECTION 4. Section 68-252, 1952 Code, amended—election as to coverage.—Section 68-252, Code of Laws of South Carolina, 1952, relating to election as to coverage, is amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-252. (1) An employing unit not otherwise subject to this Title, which files with the Commission its written election to become an employer subject to this Title for not less than two calendar years, shall, with the written approval of such election by the

Commission, become an employer subject to the same extent as all other employers as of the date stated in such approval and shall cease to be subject to this Title as of January first of any calendar year subsequent to such two calendar years if by the thirtieth day of April of such year it has filed with the Commission a written notice to that effect.

(2) Any employing unit, for which services that do not constitute employment as defined in this Title are performed, may file with the Commission a written election that all such services performed by individuals in its employment in one or more distinct establishments or places of business shall be deemed to constitute employment by an employer for all the purposes of this Title for not less than two calendar years. Upon the written approval of such election by the Commission such services shall be deemed to constitute employment subject to this Title from and after the date stated in such approval. Such services shall cease to be deemed employment subject to this Title as of January first of any calendar year subsequent to such two calendar years if by the thirtieth day of April of such year such employing unit has filed with the Commission a written notice to that effect."

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect January 1, 1962.

Approved the 4th day of April, 1961.

(R223, H1580)

No. 147

An Act To Provide For The Governing Body Of The Town Of North In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Governing body for Town of North.—Notwithstanding any other provisions of law, the Town of North in Orangeburg County shall be governed by a mayor and four councilmen.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R224, H1084)

No. 148

An Act To Amend Section 65-64, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Powers Of The South Carolina Tax Commission, So As To Provide That The Commission Shall Prepare And Publish Annual Statistics.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-64, 1952 Code, amended—Item (21) added—Tax Commission to publish statistics.—Section 65-64, Code of Laws of South Carolina, 1952, as amended, is further amended by adding new Item (21) which shall read as follows:

“(21) The Commission shall prepare and publish annually statistics reasonably available with respect to the operation of the Commission, including amounts collected, classification of taxpayers, graphs, and such other facts as are deemed pertinent and valuable.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R225, H1108)

No. 149

An Act To Amend Section 19-474, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Filing Of Claims Against Estates, So As To Provide That Claims Not Filed Within The Specified Time Limit Shall Be Barred.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 19-474, 1952 Code, amended—time for filing claims against estates.—Section 19-474, Code of Laws of South

Carolina, 1952, as amended, is further amended to read as follows: "Section 19-474. All claims of creditors of such estate shall upon the expiration of five months after the first publication of the notice prescribed in Section 19-473 be forever barred unless before the expiration of such period an account thereof, duly attested, shall have been filed with such executor or administrator or with the judge of probate of the county in which such estate is being administered. But the provisions of this section shall not apply to obligations secured by mortgages or other liens which have been duly recorded prior to the expiration of such period."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R226, H1349)

No. 150

An Act To Amend Section 1-316, Code Of Laws Of South Carolina, 1952, Relating To The Distribution Of Printed Acts, So As To Provide That The Judges Of Probate Be Placed On The Distribution List.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1-316, 1952 Code, amended—distribution of Advance Sheets.—Section 1-316, Code of Laws of South Carolina, 1952, is amended by adding the following immediately after the comma at the end of line 7: "judge of probate of each county,". The section when amended shall read as follows:

"Section 1-316. Within three days after receiving such page proof corrected from the Code Commissioner the public printer shall print the same in signatures and shall deliver as many of such signatures to the Code Commissioner as the Commissioner may order. The Code Commissioner on receipt of said signatures shall send a copy of such signatures to each of the following officers: the Governor, Supreme Court Justices, clerk of the Supreme Court, circuit judges, circuit solicitors, county judges, county solicitors, clerk of the court

of each county, judge of probate of each county, Attorney General, Secretary of State, Comptroller General, Adjutant General, State Treasurer, Chief Bank Examiner, Chairman of Tax Commission, Chief Highway Commissioner, State Health Officer, Director of the Division of Game of the South Carolina Wildlife Resources Department, chairman of the Public Service Commission, Commissioner of Agriculture, Chief Insurance Commissioner, State Budget and Control Board, State Superintendent of Education, State Librarian, clerk of the House of Representatives, clerk of the Senate, secretary of the Historical Commission and the members of the General Assembly. The public printer shall not distribute any printed matter from such signatures of the Acts and Joint Resolutions unless authorized as hereinabove provided."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R227, H1446)

No. 151

An Act To Ratify An Amendment To Section 21, Article V, Of The Constitution Of This State Which Deletes The Provision Which Limits The Civil Jurisdiction Of Magistrates To Cases Where The Value Of Property In Controversy, Or The Amount Claimed Does Not Exceed One Hundred Dollars, And To Increase The Jurisdiction Of Magistrates In Criminal Cases.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 21, Article V, State Constitution, ratified—jurisdiction of magistrates.—The amendment to the first paragraph of Section 21, Article V, of the Constitution of South Carolina, 1895, proposed under the terms of Act 887 of the Acts of 1960, having been submitted to the qualified electors in a manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a

part of the Constitution so that, when amended, the first paragraph of Section 21, Article V, of the Constitution of South Carolina, 1895, shall read as follows:

“Magistrates shall have jurisdiction in such civil cases as the General Assembly may prescribe: *Provided*, such jurisdiction shall not extend to cases where the title to real estate is in question, or to cases in chancery. They shall have exclusive jurisdiction in such criminal cases as the General Assembly may prescribe: *Provided*, further, such jurisdiction shall not extend to cases where the punishment exceeds a fine of two hundred dollars or imprisonment for thirty days. In criminal matters beyond their jurisdiction to try, they shall sit as Examining Courts, and commit, discharge, or, except in capital cases recognize, persons charged with such offenses, subject to such regulations as the General Assembly may provide. They shall also have the power to bind over to keep the peace and for good behavior for a time not to exceed twelve months.”

Ratified the 5th day of April, 1961.

(R232, S173)

No. 152

An Act To Amend Act 788 Of 1952, Relating To Cooperative Credit Unions, So As To Delete Therefrom References To Deposits; To Increase The Charter Fee For Credit Unions From Three Dollars To Ten Dollars; To Provide That The Fiscal Year Of Cooperative Credit Unions May Close On Dates Other Than December Thirty-First; To Provide That The Offices Of Clerk And Treasurer Of A Credit Union May Be Held By The Same Person; To Reduce The Entrance Fee For Membership In Credit Unions From One Dollar To Twenty-Five Cents; To Delete The Word “Savings” In Section 13 Of The Act; And To Provide For The Conversion Of Credit Unions From State To Federal And Vice Versa.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 788 of 1952 amended—activities cooperative credit unions may engage in.—Section 2 of Act 788 of 1952 is amended by striking on lines 2 and 3 “or on deposit”, so that when amended the section shall read as follows:

“Section 2. A cooperative credit union may receive the savings of its members in payment for shares, may lend to its members at reasonable rates of interest, not to exceed one per cent per month on unpaid loan balances, or may invest, as hereinafter provided, the funds so accumulated, and make loans of same to its members, may borrow from banks, savings banks, trust companies, or other credit unions, or persons, and loan such money to its members, and may undertake such other activities relating to the purposes of the association as its bylaws may authorize.”

SECTION 2. Section 3 of Act 788 of 1952 amended—certificate of incorporation—application—issuance.—Section 3 of Act 788 of 1952 is amended by striking on line 5 “commissioner of labor” and inserting in lieu thereof “State Board of Bank Control”, by striking on line 6 “he” and inserting in lieu thereof “it”, by striking on line 10 “commissioner of labor” and inserting in lieu thereof “State Board of Bank Control”, by striking on line 10 “he” and inserting in lieu thereof “it”, and by striking on line 13 “three” and inserting in lieu thereof “ten”, so that when amended the section shall read as follows:

“Section 3. Ten or more citizens of this State, all employees of the same employer, who have associated themselves by an agreement in writing for the purpose of forming a cooperative credit union under the provisions of this act may apply to the State Board of Bank Control for a certificate certifying that it is satisfied that the proposed field of operation is favorable to the success of such cooperative credit union, and that the standing of the proposed members is such as to give reasonable assurance that its affairs will be administered in accordance with the spirit of this act; and upon the State Board of Bank Control being so satisfied it shall issue such certificate. Upon the filing of such certificate in the office of the secretary of state and the payment to him of a charter fee of ten dollars, the secretary of state shall thereupon issue to such cooperative credit union a certificate of incorporation.”

SECTION 3. Section 6 of Act 788 of 1952 amended—fiscal year—meetings—dividends.—Section 6 of 788 of 1952 is amended by striking the period on line 3 and inserting in lieu thereof “or any other date approved by the State Board of Bank Control.”, so that when amended the section shall read as follows:

"Section 6. The fiscal year of every such cooperative credit union shall end at the close of business on December thirty-first or any other date approved by the State Board of Bank Control. The annual meeting of the credit union shall be held at such time and place as bylaws prescribe. Special meetings may be held by order of the directors or the supervision committee, and the clerk shall give notice of special meetings upon request, in writing, of ten members. Notice of all meetings of the credit union shall be given in the manner prescribed by the bylaws. No person shall be entitled to vote who has not been a member for more than three months, but this restriction shall not apply during the first twelve months of existence of the credit union, nor shall any member vote by proxy or have more than one vote. At the annual meeting the members shall, upon recommendation of the board of directors, declare dividends and fix the amount of the entrance fee. At any meeting the members may decide upon any question of interest to the credit union, and upon appeal of two members may reverse decisions of the credit committee or board of directors, and by a three-fourths vote of those present, provided the notice of the meeting shall have specified the question to be considered, may amend the bylaws."

SECTION 4. Section 8 of Act 788 of 1952 amended—officers—powers and duties.—Section 8 of Act 788 of 1952, is amended by adding after the period on line 4 "The offices of clerk and treasurer may be held by the same person." and by striking Item (d) in its entirety and relettering the items to conform, so that when amended the section shall read as follows:

"Section 8. At its first meeting the board of directors shall elect from their number a president, vice-president, a clerk and a treasurer, who shall be the executive officers of the corporation. The offices of clerk and treasurer may be held by the same person. The board of directors shall have the general management of affairs, the funds, and the records of the credit union, and shall meet as often as may be necessary. It shall be the special duty of the board of directors:

- (a) To act upon all applications for membership.
- (b) To act upon the expulsion of members.
- (c) To fix the amount of surety bond which shall be required of each officer having custody of funds.
- (d) To determine the rate of interest which shall be charged on loans.

(e) To fill vacancies in the board of directors, or in the credit committee of the credit union until the election and the qualification of members to fill the vacancies.

(f) To make recommendations to meetings of the members relative to the amount of entrance fee; the maximum number of shares which may be held by, and the maximum amount which may be lent to, any one member; the dividend to be declared; amendments to the bylaws, and any other matters which, in their opinion, the members should decide.

(g) To approve applications for loans to members of the credit committee."

SECTION 5. Section 11 of Act 788 of 1952 amended—capital stock—entrance fee.—Section 11 of Act 788 of 1952 is amended by striking on lines 7 and 8 "one dollar" and inserting in lieu thereof "twenty-five cents", so that when amended the section shall read as follows:

"Section 11. The capital stock of the credit union shall be unlimited in amount; shares of capital stock may be subscribed for and paid in such manner as the bylaws shall prescribe, but no certificate of shares shall be issued until the shares have been fully paid up. The par value of each share of the capital stock shall be five dollars. As an initial payment for the privilege of membership, each member shall pay an entrance fee of at least twenty-five cents, besides subscribing for not less than one share of capital stock."

SECTION 6. Section 12 of Act 788 of 1952 amended—issuance and withdrawal of shares of minors.—Section 12 of Act 788 of 1952 is amended by striking on line 1 "and deposits received", on line 2 "and deposits", on line 5 "or deposits made", on line 9 "or deposits", and on lines 11 and 12 "or for whom such deposit was made", so that when amended the section shall read as follows:

"Section 12. Shares may be issued in the name of a minor, and such shares may, in the discretion of the board of directors, be withdrawn by such minor or by his parent or guardian, and in either case payments made on such withdrawals shall be valid. If shares are held in the trust, the name and residence of the beneficiary shall be disclosed and the account shall be kept in the name of such holder as trustee for such minor. If no other notice of the existence and the terms of such trust has been given in writing to the credit union, such shares may, upon the death of the trustee, be withdrawn by

the person for whom the amount of such shares was paid in, or by his legal representative."

SECTION 7. Section 13 of Act 788 of 1952 amended—investments.—Section 13 of Act 788 of 1952 is amended by striking on line 1 " , the deposits," and by striking on line 7 "savings", so that when amended the section shall read as follows:

"Section 13. The capital and the surplus funds of the credit union shall be either lent to the members for such purposes, and upon such security and terms as the credit committee shall approve, or be deposited to the credit of the credit union in savings banks, or in trust companies, or in State banks incorporated under the laws of this State, or in national banks, or in other credit unions, or invested in any investment which is legal for banks in the State of South Carolina."

SECTION 8. Section 17 of Act 788 of 1952 amended—settlement with members withdrawing or expelled.—Section 17 of Act 788 of 1952 is amended by striking on line 1 "or deposited", so that when amended the section shall read as follows:

"Section 17. The amounts paid in on shares by members who have withdrawn or who have been expelled shall be paid to them, less all accrued interest and other gains or profits, but in order of withdrawal or expulsion and only as funds therefor become available, and after deducting any amounts due by the members to the credit union, but such expulsion shall not operate to relieve a member from any remaining liability to the credit union."

SECTION 9. Section 19 of Act 788 of 1952 amended—declaration and payment of dividends.—Section 19 of Act 788 of 1952, is amended by striking on line 4 " , interest on deposits," so that when amended the section shall read as follows:

"Section 19. At the annual meeting upon recommendation of the board of directors a dividend may be declared from undivided surplus remaining after the deduction of all expenses, losses and amount required to be set apart as a guaranty fund. Such dividend shall be paid on all fully-paid shares outstanding at the close of the fiscal year, but shares which become fully paid during the year shall be entitled only to a proportional part of the dividend, calculated from the first day of the month following such payment in full. Dividends due to a member shall be paid to him in cash or credited to the account of partly-paid shares for which he has subscribed."

SECTION 10. Section 21 of Act 788 of 1952 amended—dissolution of credit union.—Section 21 of Act 788 of 1952 is amended by striking on the last line “deposits and”, so that when amended the section shall read as follows:

“Section 21. At any meeting specially called to consider the subject, the members, upon the unanimous recommendation of the board of directors, may vote to dissolve the credit union, provided at least two-thirds of the members are present at such meetings and provided not more than ten members, either in person or by written notice, object thereto. A committee of three members shall thereupon be elected to liquidate the assets of the credit union, and each share of the capital stock, according to the amount paid in thereon, shall be entitled to its proportion of the proceeds after all debts of the credit union have been paid.”

SECTION 11. Credit unions may convert from State to Federal or from Federal to State—procedure.—Any state chartered credit union operating in the State may convert into a federal chartered credit union and any federal chartered credit union may convert into a state chartered credit union upon approval of the authority under whose supervision the converted credit union will operate and upon compliance with applicable federal laws as to a converted federal credit union, and upon compliance with applicable state laws as to a converted state credit union. The procedure for obtaining approval and effecting the conversion shall be as follows:

(1) A meeting of the board of directors, either regular or special, shall be called for the purpose of voting on converting from a federal credit union to a state credit union, or from a state credit union to a federal credit union.

A majority of the board of directors shall adopt a resolution approving the contemplated conversion.

(2) A meeting, either regular or special, of the shareholders shall then be called for voting on the proposed conversion. Notice of the meeting shall be given in the manner prescribed in the bylaws, and it shall be given not more than thirty days nor less than ten days prior to the date of the meeting. Proof of giving of the notice shall be by the affidavit of the president of the credit union. A majority of the members present at this meeting shall then approve the proposed conversion.

(3) Within ten days after the approval of the conversion by the majority of the shareholders, the president, vice-president or treasurer shall file a verified copy of the resolution adopted by the board of directors with the state or federal authority, under whose supervision the converting credit union is to operate.

(4) Upon the filing of the articles of incorporation with the proper state or federal authorities, and with the written approval of the state authorities for credit unions applying for conversion to state credit unions, and with the written approval of the federal authorities for credit unions applying for conversion to federal credit unions, the converting credit union shall, upon compliance with all other applicable state or federal laws, become a credit union under the laws of this State or the United States, as the case may be; and thereupon all assets shall become the property of the new state or federal credit union, as the case may be, subject to all existing liabilities against the credit union, and every person who was a shareholder, or member of the converting credit union, shall be a shareholder in the new state or federal chartered credit union in like amount.

(5) In consummation of the conversion, the old credit union may execute, acknowledge and deliver to the newly chartered credit union, instruments of transfer necessary to accomplish the transfer of any property and all right, title and interest therein.

SECTION 12. Repeal—Item (g), Section 5 of Act 788 of 1952 repealed.—Item (g) of Section 5 of Act 788, of 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

An Act To Enlarge The Authority Of The Oconee Soil Conservation District, So As To Authorize The Right Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee Soil Conservation District may acquire land and rights of way.—In addition to the authority granted under Chapter 2, Article 6, Title 63, Code of Laws of South Carolina, 1952, the Oconee Soil Conservation District is hereby authorized to acquire such lands or rights of way as are necessary for any authorized function of the district, including the acquisition of necessary land for flood water retarding structures, flood plain boundaries, and stream channel improvement, and to construct, repair, enlarge, improve, operate and maintain such works of improvement; *provided*, however, there shall be no right of eminent domain unless at least seventy-five per cent of the required easements, rights of way and permits for any one flood water retarding structure or a unit of stream channel improvement have been acquired by the Oconee Soil Conservation District for such works of improvements.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R234, S280)

No. 154

An Act To Amend An Act Of 1961 Bearing Ratification No. 42, Relating To The Office of Master For Dorchester County, So As To Further Provide For His Practice Of Law, And To Repeal An Act Of 1961 Bearing Ratification No. 165, Relating To The Office Of Master For Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 25 of 1961 amended—practice of law by master.—Section 5 of an act of 1961 bearing Ratification No. 42 is amended by striking the section and inserting in lieu thereof the following:

“Section 5. The master, if otherwise qualified, shall be authorized to practice law in all of the courts in this State and the United States, but all referable cases in which he acts as attorney shall be referred to the clerk of court as special master, or to such other person

as may be appointed by the resident or presiding judge as special master.”

SECTION 2. Repeal—Act 109 of 1961 repealed.—An act of 1961 bearing Ratification No. 165 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R235, S282)

No. 155

An Act To Repeal Section 14-3613, Code Of Laws Of South Carolina, 1952, Relating To The Publication Of A Quarterly Report By The Supervisor Of York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-3613, 1952 Code, repealed.—Section 14-3613, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R236, S236)

No. 156

An Act To Amend Section 21-351, Code Of Laws Of South Carolina, 1952, Relating To Employment Of Teachers Related To Board Members, So As To Further Provide For Such Employment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-351, 1952 Code, amended—employment of teachers related to board members.—Section 21-351, Code of Laws of South Carolina, 1952, is amended by changing the word “nor” on line 4 to “or” so that, when so amended, the section shall read as follows:

"Section 21-351. No teacher who is related to a member of the board of trustees of any school district by consanguinity or affinity within the second degree shall be employed by the board without the written approval of the board of education of the county, or unless a majority of the parents or guardians of the children attending the school for which such teacher is employed requests such employment in writing."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R237, S259)

No. 157

An Act To Make It Unlawful For Any Out-Of-State Person To Conduct Any Phase Of Laundry Or Dry Cleaning Business In Horry County Without A License And To Make It Unlawful For Any Such Person To Use A Motor Vehicle In Horry County Without Proof Of Financial Responsibility.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Out-of-State dry cleaners in Horry County to obtain licenses.—It shall be unlawful for any out-of-state person to conduct any phase of laundry or dry cleaning business in Horry County without first obtaining a license. Such license shall be in the amount of two hundred dollars per year and shall be procured from the clerk of court for Horry County.

SECTION 2. Comply with Motor Vehicle Financial Responsibility law.—It shall be unlawful for any such person to operate a motor vehicle used in conjunction with such business without giving satisfactory evidence to the clerk of court of Horry County that he has complied with the Motor Vehicle Financial Responsibility law of this State.

SECTION 3. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall

be fined not more than one thousand dollars or imprisoned for not more than six months, or both, in the discretion of the court.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R239, H1593)

No. 158

An Act To Provide That The Probate Judge Of Horry County Shall Charge A Fee Of Five Dollars For Performing Marriage Ceremonies During Office Hours And To Provide That The Fees Shall Be Credited To The General Fund Of Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County Probate Judge to charge marriage fee.—The Probate Judge of Horry County shall charge a fee of five dollars for each marriage ceremony performed by him during office hours. The fees collected by the Probate Judge as provided herein shall be transmitted to the Treasurer of Horry County monthly and shall be credited to the general fund of the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R241, S11)

No. 159

An Act Relating To Securities In The State; Prohibiting Fraudulent Practices In Relation Thereto; Requiring The Registration Of Broker-Dealers, Agents, Investment Advisers, And Securities; Defining Certain Terms; Providing For Other Mat-

ters Regulating Securities; And To Repeal Chapters 1 (Sections 62-1 To 62-7), 2 (Sections 62-51 To 62-54), 3 (Sections 62-101 To 62-121), 4 (Sections 62-151 To 62-165), 5 (Sections 62-201 To 62-203), 6 (Sections 62-251 To 62-255), And 7 (Sections 62-301 To 62-317) Of Title 62, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

Fraudulent and Other Prohibited Practices

SECTION 101. Sales and Purchases. It is unlawful for any person, in connection with the offer, sale, or purchase of any security, directly or indirectly

(1) to employ any device, scheme, or artifice to defraud,

(2) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, or

(3) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

SECTION 102. Advisory Activities.

(a) It is unlawful for any person who receives any consideration from another person primarily for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of analyses or reports or otherwise,

(1) to employ any device, scheme, or artifice to defraud the other person, or

(2) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon the other person.

(b) It is unlawful for any investment adviser to enter into, extend, or renew any investment advisory contract unless it provides in writing

(1) that the investment adviser shall not be compensated on the basis of a share of capital gains upon or capital appreciation of the funds or any portion of the funds of the client ;

(2) that no assignment of the contract may be made by the investment adviser without the consent of the other party to the contract ;
and

(3) That the investment adviser, if a partnership, shall notify the other party to the contract of any change in the membership of the partnership within a reasonable time after the change.

Clause (1) does not prohibit an investment advisory contract which provides for compensation based upon the total value of a fund averaged over a definite period, or as of definite dates or taken as of a definite time. "Assignment", as used in clause (2), includes any direct or indirect transfer or hypothecation of an investment advisory contract by the assignor or of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor; but, if the investment adviser is a partnership, no assignment of an investment advisory contract is considered to result from the death or withdrawal of a minority of the members of the investment adviser having only a minority interest in the business of the investment adviser, or from the admission to the investment adviser of one or more members who after admission, will be only a minority of the members and will have only a minority interest in the business.

(c) It is unlawful for any investment adviser to take or have custody of any securities or funds of any client if

(1) The Securities Commissioner by rule prohibits custody; or

(2) in the absence of rule, the investment adviser fails to notify the Securities Commissioner that he has or may have custody.

PART II

Registration of Broker-Dealers, Agents, and Investment Advisers

SECTION 201. Registration Requirement.

(a) It is unlawful for any person to transact business in this State as a broker-dealer or agent unless he is registered under this act.

(b) It is unlawful for any broker-dealer or issuer to employ an agent unless the agent is registered. The registration of an agent is not effective during any period when he is not associated with a particular broker-dealer registered under this act or a particular issuer. When an agent begins or terminates a connection with a broker-dealer or issuer, or begins or terminates those activities which make him an agent, the agent as well as the broker-dealer or issuer shall promptly notify the Securities Commissioner.

(c) It is unlawful for any person to transact business in this State as an investment adviser unless (1) he is so registered under this act, (2) he is registered as a broker-dealer without the imposition

of a condition under Section 204(b) (5), or (3) his only clients in this State are investment companies as defined in the Investment Company Act of 1940 or insurance companies.

(d) Every registration expires one year from its effective date unless renewed. The Securities Commissioner by rule or order may prepare an initial schedule for registration renewals so that subsequent renewals of registrations effective on the effective date of this act may be staggered by calendar months. For this purpose the Securities Commissioner by rule may reduce the registration fee proportionately.

SECTION 202. Registration Procedure.

(a) A broker-dealer, agent or investment adviser may obtain an initial or renewal registration by filing with the Securities Commissioner an application together with a consent to service of process pursuant to Section 414(g). The application shall contain whatever information the Securities Commissioner by rule requires concerning such matters as (1) the applicant's form and place of organization; (2) the applicant's proposed method of doing business; (3) the qualifications and business history of the applicant; in the case of a broker-dealer or investment adviser, the qualifications and business history of any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser; and, in the case of an investment adviser, the qualifications and business history of any employee; (4) any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a felony; and (5) the applicant's financial condition and history. The Securities Commissioner may by rule or order require an applicant for initial registration to publish an announcement of the application in one or more specified newspapers published in this State. Registration becomes effective when The Securities Commissioner so orders. Registration of a broker-dealer automatically constitutes registration of any agent who is a partner, officer, or director, or a person occupying a similar status or performing similar functions.

(b) Every applicant for initial or renewal registration shall pay a filing fee of one hundred dollars in the case of a broker-dealer, ten dollars in the case of an agent and one hundred dollars in the case of an investment adviser. When application is denied or withdrawn, the Securities Commissioner shall retain ten dollars of the fee.

(c) A registered broker-dealer or investment adviser may file an application for registration of a successor, whether or not the successor is then in existence, for the unexpired portion of the year. There shall be no filing fee.

(d) The Securities Commissioner may by rule require a minimum capital for registered broker-dealers and investment advisers not to exceed ten thousand dollars.

(e) Registered broker-dealers, agents and investment advisers shall post surety bonds in amounts of ten thousand dollars for broker-dealers and investment advisers, and one thousand dollars for agents, conditioned that the registrant will comply with the provisions of this act and such orders and regulations as the Commissioner may from time to time prescribe. Such bond may be so drawn as to cover the original registration and any renewal thereof. Any appropriate deposit of cash or securities shall be accepted in lieu of any such bond. Every bond shall provide that no suit may be maintained to enforce any liability thereon unless brought within two years after the sale or other act upon which such suit is based and shall also provide that the liability of the surety on each such bond to all persons aggrieved shall in no event exceed in the aggregate the penal sum thereof.

SECTION 203. Post Registration Provisions.

(a) Every registered broker-dealer and investment adviser shall make and keep such accounts, correspondence, memoranda, papers, books, and other records as the Securities Commissioner by rule prescribes. All records so required shall be preserved for three years unless the Securities Commissioner by rule prescribes otherwise for particular types of records.

(b) Every registered broker-dealer and investment adviser shall file such financial reports as the Securities Commissioner by rule prescribes.

(c) If the information contained in any document filed with the Securities Commissioner is or becomes inaccurate or incomplete in any material respect, the registrant shall promptly file a correcting amendment unless notification of the correction has been given under Section 201 (b).

(d) All the records referred to in subsection (a) are subject at any time or from time to time to such reasonable periodic, special, or other examinations by representatives of the Securities Commissioner, within or without this State, as the Securities Commissioner deems

necessary or appropriate in the public interest or for the protection of investors. For the purpose of avoiding unnecessary duplication of examinations, the Securities Commissioner, insofar as he deems it practicable in administering this subsection, may cooperate with the securities administrators of other states, the Securities and Exchange Commission, and any national securities exchange or national securities association registered under the Securities Exchange Act of 1934.

SECTION 204. Denial, Revocation, Suspension, Cancellation, and Withdrawal of Registration.

(a) The Securities Commissioner may by order deny, suspend or revoke any registration if he finds (1) that the order is in the public interest and (2) that the applicant or registrant or, in the case of a broker-dealer or investment adviser, any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser

(A) has filed an application for registration which as of its effective date, or as of any date after filing in the case of an order denying effectiveness, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(B) has wilfully violated or wilfully failed to comply with any provision of this act or a predecessor act or any rule or order under this act or a predecessor act;

(C) has been convicted, within the past ten years, of any misdemeanor involving a security or any aspect of the securities business, or any felony;

(D) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the securities business;

(E) is the subject of an order of the Securities Commissioner denying, suspending, or revoking registration as a broker-dealer, agent, or investment adviser;

(F) is the subject of an order entered within the past five years by the securities administrator of any other state or by the Securities and Exchange Commission denying or revoking registration as a broker-dealer, agent, or investment adviser, or the substantial equivalent of those terms as defined in this act, or is the subject of an order of the Securities and Exchange Commission suspending or expelling

him from a national securities exchange or national securities association registered under the Securities Exchange Act of 1934, or is the subject of a United States Post Office fraud order; but (i) the Securities Commissioner may not institute a revocation or suspension proceeding under clause (F) more than one year from the date of the order relied on, and (ii) he may not enter an order under clause (F) on the basis of an order under another state act unless that order was based on facts which would currently constitute a ground for an order under this section;

(G) has engaged in dishonest or unethical practices in the securities business;

(H) is insolvent, either in the sense that his liabilities exceed his assets or in the sense that he cannot meet his obligations as they mature; but the Securities Commissioner may not enter an order against a broker-dealer or investment adviser under this clause without a finding of insolvency as to the broker-dealer or investment adviser; or

(I) is not qualified on the basis of such factors as training, experience, and knowledge of the securities business, except as otherwise provided in subsection (b).

The Securities Commissioner may by order deny, suspend, or revoke any registration if he finds (1) that the order is in the public interest and (2) that the applicant or registrant

(J) has failed reasonably to supervise his agents if he is a broker-dealer or his employees if he is an investment adviser; or

(K) has failed to pay the proper filing fee; but the Securities Commissioner may enter only a denial order under this clause, and he shall vacate any such order when the deficiency has been corrected.

The Securities Commissioner may not institute a suspension or revocation proceeding on the basis of a fact or transaction known to him when registration became effective unless the proceeding is instituted within the next thirty days.

(b) The following provisions govern the application of Section 204(a) (2) (I):

(1) The Securities Commissioner may not enter an order against a broker-dealer on the basis of the lack of qualification of any person other than (A) the broker-dealer himself if he is an individual or (B) an agent of the broker-dealer.

(2) The Securities Commissioner may not enter an order against an investment adviser on the basis of the lack of qualification of any

person other than (A) the investment adviser himself if he is an individual or (B) any other person who represents the investment adviser in doing any of the acts which make him an investment adviser.

(3) The Securities Commissioner may not enter an order solely on the basis of lack of experience if the applicant or registrant is qualified by training or knowledge or both.

(4) The Securities Commissioner shall consider that an agent who will work under the supervision of a registered broker-dealer need not have the same qualifications as a broker-dealer.

(5) The Securities Commissioner shall consider that an investment adviser is not necessarily qualified solely on the basis of experience as a broker-dealer or agent. When he finds that an applicant for initial or renewal registration as a broker-dealer is not qualified as an investment adviser, he may by order condition the applicant's registration as a broker-dealer upon his not transacting business in this State as an investment adviser.

(6) The Securities Commissioner may by rule provide for an examination, which may be written or oral or both, to be taken by any class of or all applicants, as well as persons who represent or will represent an investment adviser in doing any of the acts which make him an investment adviser.

(c) The Securities Commissioner may by order summarily postpone or suspend registration pending final determination of any proceeding under this section. Upon the entry of the order, the Securities Commissioner shall promptly notify the applicant or registrant, as well as the employer or prospective employer if the applicant or registrant is an agent, that it has been entered and of the reasons therefor and that within fifteen days after the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the Securities Commissioner, the order will remain in effect until it is modified or vacated by the Securities Commissioner. If a hearing is requested or ordered, the Securities Commissioner, after notice of and opportunity for hearing, may modify or vacate the order or extend it until final determination.

(d) If the Securities Commissioner finds that any registrant or applicant for registration is no longer in existence or has ceased to do business as a broker-dealer, agent, or investment adviser, or is subject to an adjudication of mental incompetence or to the control

of a committee, conservator, or guardian, or cannot be located after reasonable search, the Securities Commissioner may by order cancel the registration or application.

(e) Withdrawal from registration as a broker-dealer, agent, or investment adviser becomes effective thirty days after receipt of an application to withdraw or within such shorter period of time as the Securities Commissioner may determine, unless a revocation or suspension proceeding is pending when the application is filed or a proceeding to revoke or suspend or to impose conditions upon the withdrawal is instituted within thirty days after the application is filed. If a proceeding is pending or instituted, withdrawal becomes effective at such time and upon such conditions as the Securities Commissioner by order determines. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the Securities Commissioner may nevertheless institute a revocation or suspension proceeding under Section 204(a) (2) (B) within one year after withdrawal became effective and enter a revocation or suspension order as of the last date on which registration was effective.

(f) No order may be entered under any part of this section except the first sentence of subsection (c) without (1) appropriate prior notice to the applicant or registrant (as well as the employer or prospective employer if the applicant or registrant is an agent), (2) opportunity for hearing, and (3) written findings of fact and conclusions of law.

PART III

Registration of Securities

SECTION 301. Registration Requirement. It is unlawful for any person to offer or sell any security in this State unless (1) it is registered under this act or (2) the security or transaction is exempted under Section 402.

SECTION 302. Registration by Notification.

(a) The following securities may be registered by notification, whether or not they are also eligible for registration by coordination under Section 303:

(1) any security whose issuer and any predecessors have been in continuous operation for at least five years if (A) there has been no default during the current fiscal year or within the three preceding fiscal years in the payment of principal, interest, or dividends on any

security of the issuer (or any predecessor) with a fixed maturity or a fixed interest or dividend provisions, and (B) the issuer and any predecessors during the past three fiscal years have had average net earnings, determined in accordance with generally accepted accounting practices, (i) which are applicable to all securities without a fixed maturity or a fixed interest or dividend provision outstanding at the date the registration statement is filed and equal at least five per cent of the amount of such outstanding securities (as measured by the maximum offering price or the market price on a day, selected by the registrant, within thirty days before the date of filing the registration statement, whichever is higher, or book value on a day, selected by the registrant, within ninety days of the date of filing the registration statement to the extent that there is neither a readily determinable market price nor a cash offering price), or (ii) which, if the issuer and any predecessors have not had any security of the type specified in clause (i) outstanding for three full fiscal years, equal at least five per cent of the amount (as measured in clause (i)) of all securities which will be outstanding if all the securities being offered or proposed to be offered (whether or not they are proposed to be registered or offered in this State) are issued;

(2) any security (other than a certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease) registered for non-issuer distribution if (A) any security of the same class has ever been registered under this act or a predecessor act, or (B) the security being registered was originally issued pursuant to an exemption under this act or a predecessor act.

(b) A registration statement under this section shall contain the following information and be accompanied by the following documents in addition to the information specified in Section 305(c) and the consent to service of process required by Section 414(g):

(1) a statement demonstrating eligibility for registration by notification;

(2) with respect to the issuer and any significant subsidiary: its name, address, and form of organization; the state (or foreign jurisdiction) and the date of its organization; and the general character and location of its business;

(3) with respect to any person on whose behalf any part of the offering is to be made in a non-issuer distribution: his name and address; the amount of securities of the issuer held by him as of the

date of the filing of the registration statement; and a statement of his reasons for making the offering;

(4) a description of the security being registered;

(5) the information and documents specified in clauses (8), (9), (10), and (12) of Section 304(b);

(6) in the case of any registration under Section 302(a) (2) which does not also satisfy the conditions of Section 302(a) (1), a balance sheet of the issuer as of a date within four months prior to the filing of the registration statement, and a summary of earnings for each of the two fiscal years preceding the date of the balance sheet and for any period between the close of the last fiscal year and the date of the balance sheet, or for the period of the issuer's and any predecessors' existence if less than two years; and

(7) such additional information as the Securities Commissioner may by rule or order require.

(c) A registration statement under this section becomes effective when the Securities Commissioner so orders.

SECTION 303. Registration by Coordination.

(a) Any security for which a registration statement has been filed under the Securities Act of 1933 in connection with the same offering may be registered by coordination.

(b) A registration statement under this section shall contain the following information and be accompanied by the following documents in addition to the information specified in Section 305(c) and the consent to service of process requested by Section 414(g):

(1) two copies of the latest form of prospectus filed under the Securities Act of 1933;

(2) if the Securities Commissioner by rule or otherwise requires, a copy of the articles of incorporation and bylaws (or their substantial equivalents) currently in effect, a copy of any agreements with or among underwriters, a copy of any indenture or other instrument governing the issuance of the security to be registered, and a specimen or copy of the security;

(3) if the Securities Commissioner requests, any other information, or copies of any other documents, filed under the Securities Act of 1933; and

(4) an undertaking to forward all future amendments to the federal prospectus, other than an amendment which merely delays the effective date of the registration statement, promptly and in any event

not later than the first business day after the day they are forwarded to or filed with the Securities and Exchange Commission, whichever first occurs.

(c) A registration statement under this section automatically becomes effective at the moment the federal registration statement becomes effective if all the following conditions are satisfied: (1) no stop order is in effect and no proceeding is pending under Section 306; (2) the registration statement has been on file with the Securities Commissioner for at least ten days; and (3) a statement of the maximum and minimum proposed offering prices and the maximum underwriting discounts and commissions has been on file for two full business days or such shorter period as the Securities Commissioner permits by rule or otherwise and the offering is made within these limitations. The registrant shall promptly notify the Securities Commissioner by telephone or telegram of the date and time when the federal registration statement became effective and the content of the price amendment, if any, and shall promptly file a post-effective amendment containing the information and documents in the price amendment. "Price amendment" means the final federal amendment which includes a statement of the offering price, underwriting and selling discounts or commissions, amount of proceeds, conversion rates, call prices, and other matters dependent upon the offering price. Upon failure to receive the required notification and post-effective amendment with respect to the price amendment, the Securities Commissioner may enter a stop order, without notice or hearing, retroactively denying effectiveness to the registration statement or suspending its effectiveness until compliance with this subsection, if he promptly notifies the registrant by telephone or telegram (and promptly confirms by letter or telegram when he notifies by telephone) of the issuance of the order. If the registrant proves compliance with the requirements of this subsection as to notice and post-effective amendment, the stop order is void as of the time of its entry. The Securities Commissioner may by rule or otherwise waive either or both of the conditions specified in clauses (2) and (3). If the federal registration statement becomes effective before all the conditions in this subsection are satisfied and they are not waived, the registration statement automatically becomes effective as soon as all the conditions are satisfied. If the registrant advises the Securities Commissioner of the date when the federal registration statement is expected to become effective, the Securities Commissioner shall

promptly advise the registrant by telephone or telegram, at the registrant's expense, whether all the conditions are satisfied and whether he then contemplates the institution of a proceeding under Section 306; but this advice by the Securities Commissioner does not preclude the institution of such a proceeding at any time.

SECTION 304. Registration by Qualification.

(a) Any security may be registered by qualification.

(b) A registration statement under this section shall contain the following information and be accompanied by the following documents in addition to the information specified in Section 305(c) and the consent to service of process required by Section 414(g) :

(1) with respect to the issuer and any significant subsidiary: its name, address, and form of organization; the state or foreign jurisdiction and date of its organization; the general character and location of its business; a description of its physical properties and equipment; and a statement of the general competitive conditions in the industry or business in which it is or will be engaged;

(2) with respect to every director and officer of the issuer, or person occupying a similar status or performing similar functions: his name, address, and principal occupation for the past five years; the amount of securities of the issuer held by him as of a specified date within thirty days of the filing of the registration statement; the amount of the securities covered by the registration statement to which he has indicated his intention to subscribe; and a description of any material interest in any material transaction with the issuer or any significant subsidiary effected within the past three years or proposed to be effected;

(3) with respect to persons covered by clause (2) : the remuneration paid during the past twelve months and estimated to be paid during the next twelve months, directly or indirectly, by the issuer (together with all predecessors, parents, subsidiaries, and affiliates) to all those persons in the aggregate;

(4) with respect to any person owning of record, or beneficially if known, ten per cent or more of the outstanding shares of any class of equity security of the issuer: the information specified in clause (2) other than his occupation;

(5) with respect to every promoter if the issuer was organized within the past three years: the information specified in clause (2), and amount paid to him within that period or intended to be paid to him, and the consideration for any such payment;

(6) with respect to any person on whose behalf any part of the offering is to be made in a non-issuer distribution: his name and address; the amount of securities of the issuer held by him as of the date of the filing of the registration statement; a description of any material interest in any material transaction with the issuer or any significant subsidiary effected within the past three years or proposed to be effected; and a statement of his reasons for making the offering;

(7) the capitalization and long-term debt (on both a current and a pro forma basis) of the issuer and any significant subsidiary, including a description of each security outstanding or being registered or otherwise offered, and a statement of the amount and kind of consideration (whether in the form of cash, physical assets, services, patents, good will, or anything else) for which the issuer or any subsidiary has issued any of its securities within the past two years or is obligated to issue any of its securities;

(8) the kind and amount of securities to be offered; the proposed offering price or the method by which it is to be computed; any variation therefrom at which any proportion of the offering is to be made to any person or class of persons other than the underwriters, with a specification of any such person or class; the basis upon which the offering is to be made if otherwise than for cash; the estimated aggregate underwriting and selling discounts or commissions and finders' fees (including separately cash, securities, contracts, or anything else of value to accrue to the underwriters or finders in connection with the offering) or, if the selling discounts or commissions are variable, the basis of determining them and their maximum and minimum amounts; the estimated amounts of other selling expenses, including legal, engineering, and accounting charges; the name and address of every underwriter and every recipient of a finder's fee; a copy of any underwriting or selling-group agreement pursuant to which the distribution is to be made, or the proposed form of any such agreement whose terms have not yet been determined; and a description of the plan of distribution of any securities which are to be offered otherwise than through an underwriter;

(9) the estimated cash proceeds to be received by the issuer from the offering; the purposes for which the proceeds are to be used by the issuer; the amount to be used for each purpose; the order or priority in which the proceeds will be used for the purposes stated; the amounts of any funds to be raised from other sources to achieve the purposes stated; the sources of any such funds; and, if any part

of the proceeds is to be used to acquire any property (including good will) otherwise than in the ordinary course of business, the names and addresses of the vendors, the purchase price, the names of any persons who have received commissions in connection with the acquisition, and the amounts of any such commissions and any other expense in connection with the acquisition (including the cost of borrowing money to finance the acquisition) ;

(10) a description of any stock options or other security options outstanding, or to be created in connection with the offering, together with the amount of any such options held or to be held by every person required to be named in clause (2), (4), (5), (6), or (8) and by any person who holds or will hold ten per cent or more in the aggregate of any such options ;

(11) the dates of, parties to, and general effect concisely stated of, every management or other material contract made or to be made otherwise than in the ordinary course of business if it is to be performed in whole or in part at or after the filing of the registration statement or was made within the past two years, together with a copy of every such contract ; and a description of any pending litigation or proceeding to which the issuer is a party and which materially affects its business or assets (including any such litigation or proceeding known to be contemplated by governmental authorities) ;

(12) two copies of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature intended as of the effective date to be used in connection with the offering ;

(13) a specimen or copy of the security being registered ; a copy of the issuer's articles of incorporation and bylaws, or their substantial equivalents, as currently in effect ; and a copy of any indenture or other instrument covering the security to be registered ;

(14) a signed or conformed copy of an opinion of counsel as to the legality of the security being registered (with an English translation if it is in a foreign language), which shall state whether the security when sold will be legally issued, fully paid, and nonassessable, and, if a debt security, a binding obligation of the issuer ;

(15) the written consent of any accountant, engineer, appraiser, or other person whose profession gives authority to a statement made by him, if any such person is named as having prepared or certified a report or valuation (other than a public and official document or statement) which is used in connection with the registration statement ;

(16) a balance sheet of the issuer as of a date within four months prior to the filing of the registration statement; a profit and loss statement and analysis of surplus for each of the three fiscal years preceding the date of the balance sheet and for any period between the close of the last fiscal year and the date of the balance sheet, or for the period of the issuer's and any predecessor's existence if less than three years; and, if any part of the proceeds of the offering is to be applied to the purchase of any business, the same financial statements which would be required if that business were the registrant; and

(17) such additional information as the Securities Commissioner requires by rule or order.

(c) A registration statement under this section becomes effective when the Securities Commissioner so orders.

SECTION 305. Provisions Applicable to Registration Generally.

(a) A registration statement may be filed by the issuer, any other person on whose behalf the offering is to be made, or a registered broker-dealer.

(b) Every person filing a registration statement shall pay a filing fee of one-tenth of one per cent of the maximum aggregate offering price at which the registered securities are to be offered in this State, but the fee shall in no case be less than twenty-five dollars or more than three hundred dollars. When a registration statement is withdrawn before the effective date or a pre-effective stop order is entered under Section 306, the Securities Commissioner shall retain twenty-five dollars of the fee.

(c) Every registration statement shall specify (1) the amount of securities to be offered in this State; (2) the states in which a registration statement or similar document in connection with the offering has been or is to be filed; and (3) any adverse order, judgment, or decree entered in connection with the offering by the regulatory authorities in each state or by any court or the Securities and Exchange Commission.

(d) Any document filed under this act or a predecessor act (within five years preceding the filing of a registration statement) may be incorporated by reference in the registration statement to the extent that the document is currently accurate.

(e) The Securities Commissioner may by rule or otherwise permit the omission of any item of information or document from any registration statement.

(f) In the case of a non-issuer distribution, information may not be required under Section 304 or 305(j) unless it is known to the person filing the registration statement or to the persons on whose behalf the distribution is to be made, or can be furnished by them without unreasonable effort or expense.

(g) The Securities Commissioner may by rule or order require as a condition of registration by qualification or coordination (1) that any security issued within the past three years or to be issued to a promoter for a consideration substantially different from the public offering price, or to any person for a consideration other than cash, be deposited in escrow; and (2) that the proceeds from the sale of the registered security in this State be impounded until the issuer receives a specified amount from the sale of the security either in this State or elsewhere.

(h) The Securities Commissioner may by rule or order require as a condition of registration that any security registered by qualification or coordination be sold only on a specified form of subscription or sale contract, and that a signed or conformed copy of each contract be filed with the Securities Commissioner or preserved for any period up to three years specified in the rule or order.

(i) Every registration statement is effective for one year from its effective date, or any longer period during which the security is being offered or distributed in a non-exempted transaction by or for the account of the issuer or other person on whose behalf the offering is being made or by any underwriter or broker-dealer who is still offering part of an unsold allotment or subscription taken by him as a participant in the distribution, except during the time a stop order is in effect under Section 306. All outstanding securities of the same class as a registered security are considered to be registered for the purpose of any non-issuer transaction (1) so long as the registration statement is effective and (2) between the thirtieth day after the entry of any stop order suspending or revoking the effectiveness of the registration statement under Section 306 (if the registration statement did not relate in whole or in part to a non-issuer distribution) and one year from the effective date of the registration statement. A registration statement may not be withdrawn for one year from its effective date if any securities of the same class are outstand-

ing. A registration statement may be withdrawn otherwise only in the discretion of the Securities Commissioner.

(j) So long as a registration statement is effective, the Securities Commissioner may by rule or order require the person who filed the registration statement to file reports, not more often than quarterly, to keep reasonably current the information contained in the registration statement and to disclose the progress of the offering.

(k) A registration statement relating to a security issued by a face-amount certificate company or a redeemable security issued by an open-end management company or unit investment trust, as those terms are defined in the Investment Company Act of 1940, may be amended after its effective date so as to increase the securities specified as proposed to be offered. Such an amendment becomes effective when the Securities Commissioner so orders. Every person filing such an amendment shall pay a filing fee, calculated in the manner specified in subsection (b), with respect to the additional securities proposed to be offered.

(l) As a condition of registration a prospectus approved by the Securities Commissioner shall be sent or given to each person to whom an offer is made before or concurrently with (1) the first written offer made to him (otherwise than by means of a public advertisement) by or for the account of the issuer or any other person on whose behalf the offering is being made, or by any underwriter or broker-dealer who is offering part of an unsold allotment or subscription taken by him as a participant in the distribution, (2) the confirmation of any sale made by or for the account of any such person, (3) payment pursuant to any such sale, or (4) delivery of the security pursuant to any such sale, whichever first occurs.

(m) Securities registered pursuant to Sections 302, 303, or 304, become eligible for trading in the secondary market at current market prices upon completion of the original offering when such securities are outstanding and in the hands of the public.

SECTION 306. Denial, Suspension, and Revocation of Registration.

(a) The Securities Commissioner may issue a stop order denying effectiveness to, or suspending or revoking the effectiveness of, any registration statement if he finds (1) that the order is in the public interest and (2) that

(A) the registration statement as of its effective date or as of any earlier date in the case of an order denying effectiveness, or any amendment under Section 305(k) as of its effective date, or any report under Section 305(j) is incomplete in any material respect or contains any statement which was, in the light of the circumstances under which it was made, false or misleading with respect to any material fact;

(B) any provision of this act or any rule, order, or condition lawfully imposed under this act has been willfully violated, in connection with the offering, by (i) the person filing the registration statement, (ii) the issuer, any partner, officer, or director of the issuer, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling or controlled by the issuer, but only if the person filing the registration statement is directly or indirectly controlled by or acting for the issuer, or (iii) any underwriter;

(C) the security registered or sought to be registered is the subject of an administrative stop order or similar order or a permanent or temporary injunction of any court of competent jurisdiction entered under any other federal or state act applicable to the offering; but (i) the Securities Commissioner may not institute a proceeding against an effective registration statement under clause (C) more than one year from the date of the order or injunction relied on, and (ii) he may not enter an order under clause (C) on the basis of an order or injunction entered under any other state act unless that order or injunction was based on facts which would currently constitute a ground for a stop order under this section;

(D) the issuer's enterprise or method of business includes or would include activities which are illegal where performed;

(E) the offering has worked or tended to work a fraud upon purchasers or would so operate;

(F) the offering has been or would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions, or other compensation, or promoters' profits or participation, or unreasonable amounts or kinds of options;

(G) when a security is sought to be registered by notification, it is not eligible for such registration;

(H) when a security is sought to be registered by coordination, there has been a failure to comply with the undertaking required by Section 303(b) (4); or

(I) the applicant or registrant has failed to pay the proper filing fee; but the Securities Commissioner may enter only a denial order under this clause and he shall vacate any such order when the deficiency has been corrected.

The Securities Commissioner may not institute a stop-order proceeding against an effective registration statement on the basis of a fact or transaction known to him when the registration statement became effective unless the proceeding is instituted within the next thirty days.

(b) The Securities Commissioner may by order summarily postpone or suspend the effectiveness of the registration statement pending final determination of any proceeding under this section. Upon the entry of the order, the Securities Commissioner shall promptly notify each person specified in subsection (c) that it has been entered and of the reasons therefor and that within fifteen days after the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the Securities Commissioner, the order will remain in effect until it is modified or vacated by the Securities Commissioner. If a hearing is requested or ordered, the Securities Commissioner, after notice of and opportunity for hearing to each person specified in subsection (c), may modify or vacate the order or extend it until final determination.

(c) No stop order may be entered under any part of this section except the first sentence of subsection (b) without (1) appropriate prior notice to the applicant or registrant, the issuer, and the person on whose behalf the securities are to be or have been offered, (2) opportunity for hearing, and (3) written findings of fact and conclusions of law.

(d) The Securities Commissioner may vacate or modify a stop order if he finds that the conditions which prompted entry have changed or that it is otherwise in the public interest to do so.

PART IV

General Provisions

SECTION 401. Definitions. When used in this act, unless the context otherwise requires:

(a) "Securities Commissioner" means Secretary of State who shall be ex officio Securities Commissioner.

(b) "Agent" means any individual other than a broker-dealer who represents a broker-dealer or issuer in effecting or attempting to effect purchases or sales of securities. "Agent" does not include an individual who represents an issuer in (1) effecting transactions in a security exempted by clause (1), (2), (3), (9), or (10) of Section 402 (a), (2) effecting transactions exempted by Section 402 (b), or (3) effecting transactions with existing employees, partners, or directors of the issuer or any of its subsidiaries if no commission or other remuneration is paid or given directly or indirectly for soliciting any person in this State. A partner, officer, or director of a broker-dealer or issuer, or a person occupying a similar status or performing similar functions, is an agent only if he otherwise comes within this definition.

(c) "Broker-dealer" means any person engaged in the business of effecting transactions in securities for the account of others or for his own account. "Broker-dealer" does not include (1) an agent, (2) an issuer, (3) a bank, savings institution, or trust company, or (4) a person who has no place of business in this State if (A) he effects transactions in this State exclusively with or through (i) the issuers of the securities involved in the transactions, (ii) other broker-dealers, or (iii) banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees, or (B) during any period of twelve consecutive months he does not direct more than fifteen offers to sell or buy into this State in any manner to persons other than those specified in clause (A), whether or not the offeror or any of the offerees is then present in this State.

(d) "Fraud," "deceit," and "defraud" are not limited to common-law deceit.

(e) "Guaranteed" means guaranteed as to payment of principal, interest, or dividends.

(f) "Investment adviser" means any person who, for compensation, engages in the business of advising others, either directly or through publications or writings, as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as a part of a regular business, issues or promulgates analyses or reports concerning securities. "Investment adviser" does not include (1) a bank, savings institution, or trust company; (2) a lawyer, accountant, engineer, or teacher whose per-

formance of these services is solely incidental to the practice of his profession; (3) a broker-dealer whose performance of these services is solely incidental to the conduct of his business as a broker-dealer and who receives no special compensation for them; (4) a publisher of any bona fide newspaper, news magazine, or business or financial publication of general, regular, and paid circulation; (5) a person whose advice, analyses, or reports relate only to securities exempted by Section 402 (a) (1); (6) a person who has no place of business in this State if (A) his only clients in this State are other investment advisers, broker-dealers, banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees, or (B) during any period of twelve consecutive months he does not direct business communications into this State in any manner to more than five clients other than those specified in clause (A), whether or not he or any of the persons to whom the communications are directed is then present in this State; or (7) such other persons not within the intent of this paragraph as the Securities Commissioner may by rule or order designate.

(g) "Issuer" means any person who issues or proposes to issue any security, except that (1) with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors or persons performing similar functions or of the fixed, restricted management, or unit type, the term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which the security is issued; and (2) with respect to certificates of interest or participation in oil, gas, or mining titles or leases or in payments out of production under such titles or leases, there is not considered to be any "issuer."

(h) "Non-issuer" means not directly or indirectly for the benefit of the issuer.

(i) "Person" means an individual, a corporation, a partnership, an association, a joint-stock company, a trust where the interests of the beneficiaries are evidenced by a security, an unincorporated organization, a government, or a political subdivision of a government.

(j) (1) "Sale" or "sell" includes every contract of sale of, contract to sell, or disposition of, a security or interest in a security for value.

(2) "Offer" or "offer to sell" includes every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security for value.

(3) Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing is considered to constitute part of the subject of the purchase and to have been offered and sold for value.

(4) A purported gift of assessable stock is considered to involve an offer and sale.

(5) Every sale or offer of a warrant or right to purchase or subscribe to another security of the same or another issuer, as well as every sale or offer of a security which gives the holder a present or future right or privilege to convert into another security of the same or another issuer, is considered to include an offer of the other security.

(6) The terms defined in this subsection do not include (A) any bona fide pledge or loan; (B) any stock dividend, whether the corporation distributing the dividend is the issuer of the stock or not, if nothing of value is given by stockholders for the dividend other than the surrender of a right to a cash or property dividend when each stockholder may elect to take the dividend in cash or property or in stock; (C) any act incident to a class vote by stockholders, pursuant to certificate of incorporation or the applicable corporation statute, on a merger, consolidation, reclassification of securities, or sale of corporate assets in consideration of the issuance of securities of another corporation; or (D) any act incident to a judicially approved reorganization in which a security is issued in exchange for one or more outstanding securities, claims, or property interests, or partly in such exchange and partly for cash.

(k) "Securities Act of 1933", "Securities Exchange Act of 1934", "Public Utility Holding Company Act of 1935", and "Investment Company Act of 1940" mean the federal statutes of those names as amended before or after the effective date of this act.

(l) "Security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; certificate of interest or participation in any profit-sharing agreement; collateral-trust certificate; pre-

organization certificate of subscription; transferable share; investment contract; voting-trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas, or mining title or lease or in payments out of production under such a title or lease; or, in general, any interest or instrument commonly known as a "Security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing. "Security" does not include any insurance or endowment policy or annuity contract under which an insurance company promises to pay money either in a lump sum or periodically for life or for some other specified period.

(m) "State" means a state, territory, or possession of the United States, the District of Columbia, and Puerto Rico.

SECTION 402. Exemptions.

(a) The following securities are exempted from Sections 301 and 403:

(1) any security (including a revenue obligation) issued or guaranteed by the United States, any state, any political subdivision of a state, or any agency or corporate or other instrumentality of one or more of the foregoing; or any certificate of deposit for any of the foregoing;

(2) any security issued or guaranteed by Canada, any Canadian province, any political subdivision of any such province, any agency or corporate or other instrumentality of one or more of the foregoing, or any other foreign government with which the United States currently maintains diplomatic relations, if the security is recognized as a valid obligation by the issuer or guarantor;

(3) any security issued by and representing an interest in or a debt of, or guaranteed by, any bank organized under the laws of the United States, or any bank, savings institution, or trust company organized and supervised under the laws of any state;

(4) any security issued by and representing an interest in or a debt of, or guaranteed by, any federal savings and loan association organized under the laws of any state and authorized to do business in this State;

(5) any security issued or guaranteed by any federal credit union or any credit union, industrial loan association, or similar association organized and supervised under the laws of this State;

(6) any security issued or guaranteed by any railroad, other common carrier, public utility, or holding company which is (A) subject to the jurisdiction of the Interstate Commerce Commission; (B) a registered holding company under the Public Utility Holding Company Act of 1935 or a subsidiary of such a company within the meaning of that act; (C) regulated in respect of its rates and charges by a governmental authority of the United States or any state; or (D) regulated in respect of the issuance or guarantee of the security by a governmental authority of the United States, any state, Canada, or any Canadian province;

(7) any security listed or approved for listing upon notice of issuance on the New York Stock Exchange, the American Stock Exchange, the Midwest Stock Exchange, or such other securities exchange as the Securities Commissioner by rule may designate; any other security of the same issuer which is of senior or substantially equal rank; any security called for by subscription rights or warrants so listed or approved; or any warrant or right to purchase or subscribe to any of the foregoing;

(8) any security issued by any person organized and operated not for private profit but exclusively for religious, educational, benevolent, charitable, fraternal, social, athletic, or reformatory purposes, or as a chamber of commerce or trade or professional association;

(9) any commercial paper which arises out of a current transaction or the proceeds of which have been or are to be used for current transactions, and which evidences an obligation to pay cash within nine months of the date of issuance, exclusive of days of grace, or any renewal of such paper which is likewise limited, or any guarantee of such paper or of any such renewal;

(10) any investment contract issued in connection with an employees' stock purchase, savings, pension, profit-sharing, or similar benefit plan if the Securities Commissioner is notified in writing thirty days before the inception of the plan or, with respect to plans which are in effect on the effective date of this act, within sixty days thereafter (or within thirty days before they are reopened if they are closed on the effective date of this act);

(11) any security issued by a cooperative association organized under the laws of this State.

(b) The following transactions are exempted from Sections 301 and 403:

(1) any isolated non-issuer transaction, whether effected through a broker-dealer or not;

(2) any non-issuer distribution of an outstanding security if (A) a recognized securities manual contains the names of the issuer's officers and directors, a balance sheet of the issuer as of a date within eighteen months, and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations, or (B) the security has a fixed maturity or a fixed interest or dividend provision and there has been no default during the current fiscal year or within the three preceding fiscal years, or during the existence of the issuer and any predecessors if less than three years, in the payment of principal, interest, or dividends on the security;

(3) any non-issuer transaction effected by or through a registered broker-dealer pursuant to an unsolicited order or offer to buy; but the Securities Commissioner may by rule require that the customer acknowledge upon a specified form that the sale was unsolicited, and that a signed copy of each such form be preserved by the broker-dealer for a specified period;

(4) any transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or among underwriters;

(5) any transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale of real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness secured thereby, is offered and sold as a unit;

(6) any transaction by an executor, administrator, sheriff, marshal, receiver, trustee in bankruptcy, guardian, or conservator;

(7) any transaction executed by a bona fide pledgee without any purpose of evading this act;

(8) any offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the Investment Company Act of 1940, pension or profit-sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in some fiduciary capacity;

(9) any transaction pursuant to an offer directed by the offeror to not more than ten persons (other than those designated in paragraph (8)) in this State during any period of twelve consecutive

months, whether or not the offeror or any of the offerees is then present in this State, if (A) the seller reasonably believes that all the buyers in this State (other than those designated in paragraph (8)) are purchasing for investment, and (B) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective buyer in this State (other than those designated in paragraph (8)); but the Securities Commissioner may by rule or order, as to any security or transaction or any type of security or transaction, withdraw or further condition this exemption, or increase or decrease the number of offerees permitted, or waive the conditions in Clauses (A) and (B) with or without the substitution of a limitation on remuneration;

(10) any offer or sale of a preorganization certificate or subscription if (A) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective subscriber, (B) the number of subscribers does not exceed ten, and (C) no payment is made by any subscriber;

(11) any transaction pursuant to an offer to existing security holders of the issuer, including persons who at the time of the transaction are holders of convertible securities, nontransferable warrants or transferable warrants exercisable within not more than ninety days of their issuance, if (A) no commission or other remuneration (other than a standby commission) is paid or given directly or indirectly for soliciting any security holder in this State, or (B) the issuer first files a notice specifying the terms of the offer and the Securities Commissioner does not by order disallow the exemption within the next five full business days;

(12) any offer (but not a sale) of a security for which registration statements have been filed under both this act and the Securities Act of 1933 if no stop order or refusal order is in effect and no public proceeding or examination looking toward such an order is pending under this act.

(c) The Securities Commissioner may by order deny or revoke any exemption specified in clause (8) or (10) of subsection (a) or in subsection (b) with respect to a specific security or transaction. No such order may be entered without appropriate prior notice to all interested parties, opportunity for hearing, and written findings of fact and conclusions of law, except that the Securities Commissioner may by order summarily deny or revoke any of the specified exemptions pending final determination of any proceeding under this subsection. Upon the entry of a summary order, the Securities Com-

missioner shall promptly notify all interested parties that it has been entered and of the reasons therefor and that within fifteen days of the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the Securities Commissioner, the order will remain in effect until it is modified or vacated by the Securities Commissioner. If a hearing is requested or ordered, the Securities Commissioner, after notice of an opportunity for hearing to all interested persons, may modify or vacate the order or extend it until final determination. No order under this subsection may operate retroactively. No person may be considered to have violated Section 301 or 403 by reason of any offer or sale effected after the entry of an order under this subsection if he sustains the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the order.

(d) In any proceeding under this act, the burden of proving an exemption or an exception from a definition is upon the person claiming it.

SECTION 403. Approval of Sales and Advertising Literature.

The Securities Commissioner by rule or order may require the approval of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution to prospective investors, including clients or prospective clients of an investment adviser, unless the security or transaction is exempted by Section 402.

SECTION 404. Misleading Filings. It is unlawful for any person to make or cause to be made, in any document filed with the Securities Commissioner or in any proceeding under this act, any statement which is, at the time and in the light of the circumstances under which it is made, false or misleading in any material respect.

SECTION 405. Unlawful Representations Concerning Registration or Exemption.

(a) Neither (1) the fact that an application for registration under Part II or a registration statement under Part III has been filed nor (2) the fact that a person or security is effectively registered constitutes a finding by the Securities Commissioner that any document filed under this act is true, complete, and not misleading. Neither any such fact nor the fact that an exemption or exception is available for a security or a transaction means that the Securities Commissioner has passed in any way upon the merits or qualifications

of, or recommended or given approval to, any person, security, or transaction.

(b) It is unlawful to make, or cause to be made, to any prospective purchaser, customer, or client any representation inconsistent with subsection (a).

SECTION 406. Administration of Act.

(a) This act shall be administered by the Secretary of State who shall be ex officio the Securities Commissioner and who may employ such additional assistants at such salaries as may be authorized by the General Assembly.

(b) It is unlawful for the Securities Commissioner or any of his officers or employees to use for personal benefit any information which is filed with or obtained by the Securities Commissioner and which is not made public. No provision of this act authorizes the Securities Commissioner or any of his officers or employees to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under this act. No provision of this act either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to the Securities Commissioner or any of his officers or employees.

(c) Fees for examinations, filings under Section 403 and other miscellaneous filings for which no fees are otherwise specified by law shall be set by the Securities Commissioner.

SECTION 407. Investigations and Subpoenas.

(a) The Securities Commissioner in his discretion (1) may make such public or private investigations within or outside of this State as he deems necessary to determine whether any person has violated or is about to violate any provision of this act or any rule or order hereunder, or to aid in the enforcement of this act or in the prescribing of rules and forms hereunder, (2) may require or permit any person to file a statement in writing, under oath or otherwise as the Securities Commissioner determines, as to all the facts and circumstances concerning the matter to be investigated, and (3) may publish information concerning any violation of this act or any rule or order hereunder.

(b) For the purpose of any investigation or proceeding under this act, the Securities Commissioner or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any

books, papers, correspondence, memoranda, agreements, or other documents or records which the Securities Commissioner deems relevant or material to the inquiry.

(c) In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Court of Common Pleas, upon application by the Securities Commissioner, may issue to the person an order requiring him to appear before the Securities Commissioner, or the officer designated by him, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. Failure to obey the order of the court may be punished by the court as a contempt of court.

(d) No person is excused from attending and testifying or from producing any document or record before the Securities Commissioner, or in obedience to the subpoena of the Securities Commissioner or any officer designated by him, or in any proceeding instituted by the Securities Commissioner, on the ground that the testimony or evidence (documentary or otherwise) required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence (documentary or otherwise), except that the individual testifying is not exempt from prosecution and punishment for perjury or contempt committed in testifying.

SECTION 408. Injunction. Whenever it appears to the Securities Commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this act or any rule or order hereunder, he may in his discretion bring an action in the Court of Common Pleas for Richland County or in the county wherein such person resides to enjoin the acts or practices and to enforce compliance with this act or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction, restraining order or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. The court may not require the Securities Commissioner to post a bond.

SECTION 409. Criminal Penalties.

(a) Any person who willfully violates any provision of this act except Section 404, or who willfully violates any rule or order under

this act, or who willfully violates Section 404 knowing the statement made to be false or misleading in any material respect, shall upon conviction be fined not more than five thousand dollars or imprisoned not more than three years, or both; but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order.

(b) The Securities Commissioner may refer such evidence as is available concerning violations of this act or of any rule or order hereunder to the Attorney General who may, with or without such a reference, institute the appropriate criminal proceedings under this act.

(c) Nothing in this act limits the power of the state to punish any person for any conduct which constitutes a crime by statute or at common law.

SECTION 410. Civil Liabilities.

(a) Any person who

(1) offers or sells a security in violation of Section 201(a), 301 or 405(b), or of any rule or order under Section 403 which requires the affirmative approval of sales literature before it is used, or of any condition imposed under Section 304(d), 305(g), or 305(h), or

(2) offers or sells a security by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading (the buyer not knowing of the untruth or omission), and who does not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the untruth or omission, is liable to the person buying the security from him, who may sue either at law or in equity to recover the consideration paid for the security, together with interest at six per cent per year from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security, upon the tender of the security, or for damages if he no longer owns the security. Damages are the amount that would be recoverable upon a tender less the value of the security when the buyer disposed of it and interest at six per cent per year from the date of disposition.

(b) Every person who directly or indirectly controls a seller liable under subsection (a), every partner, officer, or director of such a seller, every person occupying a similar status or performing similar

functions, every employee of such a seller who materially aids in the sale, and every broker-dealer or agent who materially aids in the sale are also liable jointly and severally with and to the same extent as the seller, unless the non-seller who is so liable sustains the burden of proof that he did not know, and in exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable.

(c) Any tender specified in this section may be made at any time before entry of judgment.

(d) Every cause of action under this statute survives the death of any person who might have been a plaintiff or defendant.

(e) No person may sue under this section more than two years after the contract of sale. No person may sue under this section (1) if the buyer received a written offer, before suit and at a time when he owned the security, to refund the consideration paid together with interest at six per cent per year from the date of payment, less the amount of any income received on the security, and he failed to accept the offer within thirty days of its receipt, or (2) if the buyer received such an offer before suit and at a time when he did not own the security, unless he rejected the offer in writing within thirty days of its receipt.

(f) No person who has made or engaged in the performance of any contract in violation of any provision of this act or any rule or order hereunder, or who has acquired any purported right under any such contract with knowledge of the facts by reason of which its making or performance was in violation, may base any suit on the contract.

(g) Any condition, stipulation, or provision binding any person acquiring any security to waive compliance with any provision of this act or any rule or order hereunder is void.

(h) The rights and remedies provided by this act are in addition to any other rights or remedies that may exist at law or in equity, but this act does not create any cause of action not specified in this section or Section 202(e).

SECTION 411. Judicial Review of Orders.

(a) Any person aggrieved by a final order of the Securities Commissioner may obtain a review of the order in the Court of Common Pleas for Richland County or in the county wherein such person resides by filing in court, within sixty days after the entry

of the order, a written petition praying that the order be modified or set aside in whole or in part. A copy of the petition shall be forthwith served upon the Securities Commissioner, and thereupon the Securities Commissioner shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce, or set aside the order, in whole or in part. The findings of the Securities Commissioner as to the facts, if supported by competent, material and substantial evidence, are conclusive. If either party applies to the court for leave to adduce additional material evidence, and shows to the satisfaction of the court that there were reasonable grounds for failure to adduce the evidence in the hearing before the Securities Commissioner, the court may order the additional evidence to be taken before the Securities Commissioner and to be adduced upon the hearing in such manner and upon such conditions as the court considers proper. The Securities Commissioner may modify his findings and order by reason of the additional evidence and shall file in court the additional evidence together with any modified or new findings or order.

(b) The commencement of proceedings under subsection (a) does not, unless specifically ordered by the court, operate as a stay of the Securities Commissioner's order.

SECTION 412. Rules, Forms, Orders and Hearings.

(a) The Securities Commissioner may from time to time make, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of this act, including rules, and forms governing registration statements, applications, and reports, and defining any terms, whether or not used in this act, insofar as the definitions are not inconsistent with the provisions of this act. For the purpose of rules and forms, the Securities Commissioner may classify securities, persons, and matters within his jurisdiction, and prescribe different requirements for different classes.

(b) No rule, form, or order may be made, amended, or rescinded unless the Securities Commissioner finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this act. In prescribing rules and forms the Securities Commissioner may cooperate with the securities administrators of the other states and the Securities and Exchange Commission with a view to effectuating the policy of this statute to achieve

maximum uniformity in the form and content of registration statements, applications, and reports wherever practicable.

(c) The Securities Commissioner may by rule or order prescribe (1) the form and content of financial statements required under this act, (2) the circumstances under which consolidated financial statements shall be filed, and (3) whether any required financial statements shall be certified by independent or certified public accountants. All financial statements shall be prepared in accordance with generally accepted accounting practices.

(d) All rules and forms of the Securities Commissioner shall be published.

(e) No provision of this act imposing any liability applies to any act done or omitted in good faith in conformity with any rule, form, or order of the Securities Commissioner, notwithstanding that the rule, form, or order may later be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

(f) Every hearing in an administrative proceeding shall be public unless the Securities Commissioner in his discretion grants a request joined in by all the respondents that the hearing be conducted privately.

SECTION 413. Administrative Files and Opinions.

(a) A document is filed when it is received by the Securities Commissioner.

(b) The Securities Commissioner shall keep a register of all applications for registration and registration statements which are or have ever been effective under this act and all denial, suspension, or revocation orders which have been entered under this act. The register shall be open for public inspection.

(c) The information contained in or filed with any registration statement, application, or report may be made available to the public under such rules as the Securities Commissioner prescribes.

(d) Upon request and at such reasonable charges as he prescribes, the Securities Commissioner shall furnish to any person photostatic or other copies (certified under his seal of office if requested) of any entry in the register or any document which is a matter of public record. In any proceeding or prosecution under this act, any copy so certified is prima facie evidence of the contents of the entry or document certified.

(e) The Securities Commissioner in his discretion may honor requests from interested persons for interpretative opinions.

SECTION 414. Scope of the Act and Service of Process.

(a) Sections 101, 201(a), 301, 405, and 410 apply to persons who sell or offer to sell when (1) an offer to sell is made in this State, or (2) an offer to buy is made and accepted in this State.

(b) Sections 101, 201(a), and 405 apply to persons who buy or offer to buy when (1) an offer to buy is made in this State, or (2) an offer to sell is made and accepted in this State.

(c) For the purpose of this section, an offer to sell or to buy is made in this State, whether or not either party is then present in this State, when the offer (1) originates from this State or (2) is directed by the offeror to this State and received at the place to which it is directed (or at any post office in this State in the case of a mailed offer).

(d) For the purpose of this section, an offer to buy or to sell is accepted in this State when acceptance (1) is communicated to the offeror in this State and (2) has not previously been communicated to the offeror, orally or in writing, outside this State; and acceptance is communicated to the offeror in this State, whether or not either party is then present in this State, when the offeree directs it to the offeror in this State reasonably believing the offeror to be in this State and it is received at the place to which it is directed (or at any post office in this State in the case of a mailed acceptance).

(e) An offer to sell or to buy is not made in this State when (1) the publisher circulates or there is circulated on his behalf in this State any bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this State, or which is published in this State but has had more than two-thirds of its circulation outside this State during the past twelve months, or (2) a radio or television program originating outside this State is received in this State.

(f) Sections 102 and 201(c), as well as Section 405 so far as investment advisers are concerned, apply when any act instrumental in effecting prohibited conduct is done in this State, whether or not either party is then present in this State.

(g) Every applicant for registration under this act and every issuer which proposes to offer a security in this State through any person acting on any agency basis in the common-law sense shall file with the Securities Commissioner, in such form as he by rule prescribes, an irrevocable consent appointing the Securities Commissioner or his successor in office to be his attorney to receive service of any lawful process in any non-criminal suit, action, or

proceeding against him or his successor executor or administrator which arises under this act or any rule or order hereunder after the consent has been filed, with the same force and validity as if served personally on the person filing the consent. A person who has filed such a consent in connection with a previous registration need not file another. Service may be made by leaving a copy of the process in the office of the Securities Commissioner, but it is not effective unless (1) the plaintiff, who may be the Securities Commissioner in a suit, action, or proceeding instituted by him, forthwith sends notice of the service and a copy of the process by registered mail to the defendant or respondent at his last address on file with the Securities Commissioner, and (2) the plaintiff's affidavit of compliance with this subsection is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

(h) When any person, including any nonresident of this State, engages in conduct prohibited or made actionable by this act or any rule or order hereunder, and he has not filed a consent to service of process under subsection (g) and personal jurisdiction over him cannot otherwise be obtained in this State, that conduct shall be considered equivalent to his appointment of the Securities Commissioner or his successor in office to be his attorney to receive service of any lawful process in any non-criminal suit, action, or proceeding against him or his successor executor or administrator which grows out of that conduct and which is brought under this act or any rule or order hereunder, with the same force and validity as if served on him personally. Service may be made by leaving a copy of the process in the office of the Securities Commissioner, and it is not effective unless (1) the plaintiff, who may be the Securities Commissioner in a suit, action, or proceeding instituted by him, forthwith sends notice of the service and a copy of the process by registered mail to the defendant or respondent at his last known address or takes other steps which are reasonably calculated to give actual notice, and (2) the plaintiff's affidavit of compliance with this subsection is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

(i) When process is served under this section, the court, or the Securities Commissioner in a proceeding before him, shall order such continuance as may be necessary to afford the defendant or respondent reasonable opportunity to defend.

SECTION 415. Short Title. This act may be cited as the Uniform Securities Act.

SECTION 416. Severability of Provisions. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION 417. Repeal and Saving Provisions.

(a) Chapters 1 (Sections 62-1 to 62-7), 2 (Sections 62-51 to 62-54), 3 (Sections 62-101 to 62-121), 4 (Sections 62-151 to 62-165), 5 (Sections 62-201 to 62-203), 6 (Sections 62-251 to 62-255), and 7 (Sections 62-301 to 62-317) of Title 62 and all other acts or parts of acts inconsistent herewith are repealed except as saved in this section.

(b) Prior law exclusively governs all suits, actions, prosecutions, or proceedings which are pending or may be initiated on the basis of facts or circumstances occurring before the effective date of this act, except that no civil suit or action may be maintained to enforce any liability under prior law unless brought within any period of limitation which applied when the cause of action accrued and in any event within two years after the effective date of this act.

(c) All effective registrations under prior law, all administrative orders relating to such registrations, and all conditions imposed upon such registrations remain in effect so long as they would have remained in effect if this act had not become effective. They are considered to have been filed, entered, or imposed under this act, but are governed by prior law.

(d) Prior law applies in respect of any offer or sale made within one year after the effective date of this act pursuant to an offering begun in good faith before its effective date on the basis of an exemption available under prior law.

(e) Judicial review of all administrative orders as to which review proceedings have not been instituted by the effective date of this act are governed by Section 411 of this act, except that no review proceeding may be instituted unless the petition is filed within any period of limitation which applied to a review proceeding when the order was entered and in any event within sixty days after the effective date of this act.

SECTION 418. Effective Time. This act shall become effective sixty days after approval by the Governor.

Approved the 14th day of April, 1961.

(R244, S289)

No. 160

An Act To Authorize The Clerk Of Court Of Jasper County To Destroy Chattel Mortgages Which Are Over Ten Years Old.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County Clerk of Court may destroy certain chattel mortgages.—Any chattel mortgage which is over ten years old may be destroyed by the Clerk of Court of Jasper County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R245, S290)

No. 161

An Act To Provide For The Disposition Of Fees For Certain Judicial Sales In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County Clerk of Court may retain certain fees.—In Jasper County the clerk of court making any judicial sales as provided for in Section 10-1775, Code of Laws of South Carolina, 1952, shall collect and retain the fees therein provided.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R246, S291)

No. 162**An Act To Provide For The Disposition Of Fees For Furnishing And Certifying Records Of Birth In Jasper County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fees for certifying records of birth in Jasper County.—In Jasper County, for making, furnishing or certifying any card, certificate or certified copy of the record mentioned in Sections 32-1121 or 32-1122, Code of Laws of South Carolina, 1952, or for searching such record when no card, certificate or certified copy is made, a fee of one dollar shall be charged and paid by the applicant. When verification of the facts contained in these records is required by any agency of the United States or State Governments in connection with the administration of its affairs, or is required by a man or woman entering the military service of the United States, it shall be furnished without charge upon request accompanied by satisfactory evidence that such records are for the purpose herein authorized. The clerk of court shall collect and retain the fees as herein provided.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R248, H1247)

No. 163**An Act To Provide For The Testamentary Additions To Trusts.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Testamentary additions to trusts.—A devise or bequest, the validity of which is determinable by the law of this State, may be made by a will to the trustee of a trust identified in the testator's will and its terms set forth in a written instrument other than a will executed before or concurrently with the execution of the testator's will or in the valid last will of a person

who has predeceased the testator, regardless of the existence, size or character of the corpus of the trust and including a funded or unfunded trust even though the trustor has reserved any or all rights of ownership of the insurance contracts. The devise or bequest shall not be invalid because the trust is amendable or revocable, or both, or because the trust was amended after the execution of the will or after the death of the testator. Unless the testator's will provides otherwise, the property so devised or bequeathed (a) shall not be deemed to be held under a testamentary trust of the testator but shall become a part of the trust to which it is given and (b) shall be administered and disposed of in accordance with the provisions of the instrument or will setting forth the terms of the trust, including any amendments thereto made before the death of the testator, regardless of whether made before or after the execution of the testator's will, and, if the testator's will so provides, including any amendments to the trust made after the death of the testator. A revocation or termination of the trust before the death of the testator shall cause the devise or bequest to lapse.

SECTION 2. Effect on prior wills.—This act shall have no effect upon any devise or bequest made by a will executed prior to the effective date of this act.

SECTION 3. Uniformity of interpretation.—This act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

SECTION 4. Short title.—This act may be cited as the Uniform Testamentary Additions to Trusts Act.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

Create A New Game Zone And To Provide For Its Open And Closed Seasons, And Bag Limits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (5) of Section 28-5, 1952 Code, amended—Clarendon, Florence, Lee and Sumter Counties deleted from Game Zone 5.—Subsection (5) of Section 28-5, Code of Laws of South Carolina, 1952, as amended, is further amended by striking the words “Clarendon,” “Florence,” “Lee,” and “Sumter” so that, when so amended, it shall read as follows :

“(5) The fifth zone shall comprise Chesterfield, Darlington, Kershaw, Lancaster, and Marlboro Counties.”

SECTION 2. Section 28-5, 1952 Code amended—Game Zone 8 created.—Section 28-5, Code of Laws of South Carolina, 1952, as amended, is further amended by adding a new subsection to read as follows :

“(8) The eighth zone shall comprise Clarendon, Florence, Lee and Sumter Counties.”

SECTION 3. Hunting seasons in Game Zone 8. Open and closed seasons for the hunting of game in Game Zone No. 8 shall be as follows :

- (a) Wild Turkey: Thanksgiving Day to February 15th.
- (b) Deer: September 15th to January 1st.
- (c) Raccoons and Opossums: September 15th to March 31st.
- (d) Quail: Thanksgiving Day to March 1st.
- (e) Rabbits: September 15th to March 1st. Rabbits may be hunted without firearms between September 15th and Thanksgiving Day.
- (f) Foxes: No closed season, except that firearms may not be used between January 2nd and August 15th.
- (g) Squirrels: September 15th to February 15th. Squirrels may be hunted without dogs between September 15th and Thanksgiving Day.
- (h) Alligators: Unlawful to shoot or kill any time.

SECTION 4. Season for trapping raccoons and opossums—The open season for the trapping of raccoons and opossums in Game Zone 8 shall be from Thanksgiving Day to March fifteenth.

SECTION 5. Bag limits.—The bag limit in Game Zone 8 shall be as follows: Wild turkeys (gobblers only), two per day, five per season; deer (bucks only), five per season; and quail, twelve per day.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R250, H1353)

No. 165

An Act To Amend Article 6 Of Chapter 5 Of Title 65 Of The Code Of Laws Of South Carolina, 1952, As Amended, So As To Provide For The Installment Method Of Reporting Income For Income Tax Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 65-286 added—certain income may be reported on installment plan.—Article 6 of Chapter 5 of Title 65 of the Code of Laws of South Carolina, 1952, as amended, is further amended by adding thereto a new section as follows:

“Section 65-286. (1) A taxpayer who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit, realized or to be realized when payment is completed, bears to the total contract price.

(2) Income (but not loss) from a sale or other disposition of real property, or a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year) for a price exceeding one thousand dollars, may be returned on the basis and in the manner prescribed in item (1) of this section, except that such income may be so returned only if in the taxable year of the sale or other disposition there are no payments, or the payments (exclusive of indebtedness of the

purchaser) do not exceed thirty per cent of the selling price. *Provided*, however, the evidences of indebtedness outstanding on the property at the time of the sale or disposition and assumed by the purchaser shall be considered as a part of the initial payment to the extent that such evidences of indebtedness exceed the cost or other basis of the property in the hands of the seller.

(3) Except as provided in item (4) of this section, if an installment obligation is satisfied at other than its face value or distributed, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (a) the amount realized, in the case of satisfaction at other than face value or a sale or exchange, or (b) the fair market value of the obligation at the time of distribution, transmission or disposition otherwise than by sale or exchange. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of an installment obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

(4) The provisions of item (3) shall not apply to the transmission of installment obligations at death. Estates or beneficiaries of estates receiving installment payments, which in the hands of the decedent would have been taxable under this chapter, shall return in the same manner as income the same portion of the installment payments received which would have been taxable income to the decedent. *Provided*, however, nothing herein shall operate to restrict the authority and power of the Tax Commission with respect to the assessment or collection of a tax or deficiency under Section 65-343, Code of Laws of South Carolina, 1952.

(5) Any taxpayer returning income under the provisions of this section, intending to abandon his residence in this State, or planning to cease transacting, conducting or doing business in this State, or planning to merge or consolidate its business with another corporation or other interest, or planning to dissolve and surrender its charter, within thirty days of the adoption of such intention or of the adoption of such plan, shall make a full report to the Tax Commission of any unrealized or unreported income from installment sales made while doing business in this State; and, in its discretion, the Tax Commission may require to be paid forthwith any tax which may be due on such income. The form of such report and the manner of paying such tax shall be prescribed by the Tax Commission."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act, upon approval by the Governor, shall be effective for taxable years beginning after December 31, 1960.

Approved the 14th day of April, 1961.

(R251, H1354)

No. 166

An Act To Amend Section 65-258, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Income Taxes So As To Further Define The Term "Adjusted Gross Income".

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-258, 1952 Code, amended—"adjusted gross income" defined.—Section 65-258, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows: "Section 65-258. For purposes of this chapter, the term "adjusted gross income" means, in the case of an individual, gross income minus :

(1) Expenses attributable to a trade or business carried on by the taxpayer, except when the trade or business is the performance of services as an employee ;

(2) Travel expenses incurred by the taxpayer in performing services as an employee if the amount reimbursed is included in gross income ;

(3) Expenses attributable to rents and royalties ;

(4) Expenses incurred in the sale or exchange of property other than capital assets as defined in this chapter ;

(5) Losses arising from the sale or exchange of property other than capital assets as defined in this chapter ; and

(6) One-half of gains and losses arising from the sale or exchange of capital assets, as defined in this chapter, after allowance for expenses relating to such sale or exchange.

The deductions allowed by Section 65-259, as amended, in computing net income shall be deducted from adjusted gross income, but nothing in this section shall permit the same item to be deducted more than once."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall, upon approval by the Governor be effective with regard to revenue earned on or after January 1, 1960.

Approved the 14th day of April, 1961.

(R252, H1362)

No. 167

An Act To Amend Sections 65-601 Through 65-604, 65-608 And 65-609, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Annual Reports And License Fees Of Corporations, So As To Provide That The Reports And License Fees May Be Filed And Paid On The Income Year Basis, And To Provide For The Combination Of Certain Forms And Their Execution, And To Provide For The Payment Of A Portion Of The License Fee For The Short Period Between The Beginning Of The Calendar Year And The Corporation's Income Year, And To Define The Income Year.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-601, 1952 Code, amended—corporations to make reports to Tax Commission.—Section 65-601, Code of Laws of South Carolina, 1952, as amended, is further amended by striking on line 9 of Section 1 of Act 208 of 1959 "last day of March" and inserting in lieu thereof "fifteenth day of the third month next after the preceding income year" and by striking on line 9 of Section 1 of Act 694 of 1960 "last day of March" and inserting in lieu thereof "fifteenth day of the third month next after the preceding income year", so that when amended the section shall read as follows :

"Section 65-601. Every corporation organized under the laws of South Carolina to do business for profit and every corporation organized to do business under the laws of any other state, territory or country and qualified to do business in South Carolina shall, in addition to any and all other requirements of law, make a report annually to the Tax Commission on or before the fifteenth day of the third month next after the preceding income year in such form as

may be prescribed by the Tax Commission containing such information and facts as the Commission may require for the administration of the provisions of this chapter. *Provided*, that for reasonable cause, the Tax Commission may, within its discretion, grant an extension of time not to exceed sixty days within which to file the license tax return required by this section; *provided*, further, that where an extension of time is granted, the taxpayer shall file a tentative return showing the name and address of the taxpayer and the amount of tax estimated to be due; such tentative return to be filed on or before the fifteenth day of the third month next after the preceding income year and the estimated tax shown thereon shall be paid in full at the time of filing such tentative return; *provided*, further, that the completed return must be filed and the balance of tax, if any, must be paid within the extended period."

SECTION 2. Section 65-602, 1952 Code, amended, report to be signed.—Section 65-602, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 65-602. The report required by Section 65-601 shall be signed by an officer of the corporation duly authorized to make the report on behalf of the corporation."

SECTION 3. Section 65-603, 1952 Code, amended, report forms.—Section 65-603, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it out and inserting in lieu thereof the following:

"Section 65-603. The Tax Commission shall cause to be prepared blank forms for the filing of the initial reports required under Section 65-608. For subsequent reports the Tax Commission shall combine the corporate income tax return and the license tax report into one form. Failure to receive or secure the form shall not relieve any taxpayer from the obligation of making the return or report at the time required."

SECTION 4. Section 65-604, 1952 Code, amended—corporations to pay annual license fee.—Section 65-604, Code of Laws of South Carolina, 1952, as last amended by Section 8 of Act 217 of 1959, is further amended by striking on line 10 "January first," and inserting in lieu thereof "the first day of the income year" and by striking the period at the end of line 22 and inserting ", as amended." and by adding a period after the word "tax" on line 25 and striking "which

closes next preceding January first.” and by striking on line 33 “last day of March” and inserting “fifteenth day of the third month next after the preceding income year”, so that when amended the section shall read as follows:

“Section 65-604. In addition to any and all other license taxes or fees or taxes of whatever kind every corporation required to file a report by Section 65-601, except such corporations as are enumerated in Section 65-605, shall pay to the South Carolina Tax Commission, at the time of filing the report required by Section 65-601, an annual license fee of one mill upon each dollar paid to the capital stock and paid in as surplus of said corporation as shown by the records of the corporation on the first day of the income year next preceding the date of filing the report. In no case shall the license fee provided for by this section be less than ten dollars. Where a corporation does business in part within South Carolina and in part without this State, or uses a part of its capital within South Carolina and uses a part of its capital without this State, or owns, maintains or operates one or more establishments or plants within South Carolina and owns, maintains or operates one or more establishments or plants without this State, the amount of the license fee above provided for shall be measured by a proportion of the dollars paid to the capital stock and paid in as surplus of the corporation, determined in accordance with the ratios prescribed for purposes of the income tax as set forth in Sections 5, 6, 7, and 8 of Act No. 731 of 1958, as amended.

For the purposes of this section the ratios to be used shall be based upon the accounting period of the corporation as regularly established for the purposes of the income tax.

Paid-in surplus as used herein shall not include any capital surplus created by reason of a reorganization, consolidation, or merger except such surplus as may result from a decrease of capital as an incident to such reorganization, consolidation or merger. The license fee provided for by this section shall be paid at the time of filing the report, pursuant to the provisions of Section 65-601, Code of Laws of South Carolina, 1952, on or before the fifteenth day of the third month next after the preceding income year.”

SECTION 5. Item (1) of Section 65-608, 1952 Code, amended—when corporations commencing business to file reports.—Item (1) of Section 65-608, Code of Laws of South Carolina, 1952, is amended by striking on line 5 of the section as amended by Act

242 of 1953 "after January first," so that when amended the section shall read as follows:

"Section 65-608. (1) Where a corporation commences to do business in South Carolina, or uses a portion of its capital in this State, or acquires ownership of, commences maintenance of or commences operation of one or more establishments or plants in this State, the report required by Section 65-601 shall be filed with the Tax Commission on or before sixty days after such commencement of business, use of capital, acquisition of ownership, maintenance or operation of an establishment or plant in South Carolina."

SECTION 6. Section 65-609, 1952 Code, amended—receipt for payment of fees to constitute licensing.—Section 65-609, Code of Laws of South Carolina, 1952, as amended, is further amended by striking on line 5 of the section as amended by Act 242 of 1953 the word "year" and inserting in lieu thereof the word "period" and by changing the period at the end of the section to a comma and adding "or for the income year of the corporation if such is appropriately designated.", so that when amended the section shall read as follows: "Section 65-609. The South Carolina Tax Commission's receipt showing the payment of the annual fees prescribed by this chapter shall constitute a certificate of compliance by such corporation with the provisions of this chapter and to the payment of the annual fees herein provided and shall license the corporation for the period ending December thirty-first next succeeding, or for the income year of the corporation if such is appropriately designated."

SECTION 7. Portion of license fee to be paid.—Every corporation organized under the laws of South Carolina to do business for profit in existence on January 1, 1962, and every corporation organized to do business under the laws of any other state, territory, or country which on January 1, 1962 was qualified to do business in South Carolina, which after the effective date of this act shall be required by Section 65-601, Code of Laws of South Carolina, 1952, to file a report and by Section 65-604, Code of Laws of South Carolina, 1952, to pay a license tax based upon an income year other than a calendar year, shall, for the privilege of doing business in this State between January 1, 1962 and the first day of its regular income year beginning in 1962, file the report specified in Section 65-601, Code of Laws of South Carolina, 1952, and pay a portion of the license tax specified in Section 65-604, Code of Laws of South

Carolina, 1952, such portion to be equal to one-twelfth of the full license tax which would have been required by Section 65-604, Code of Laws of South Carolina, 1952, had this act not become effective, for each calendar month between December 31, 1961 and the first day of its regular income year beginning in 1962.

SECTION 8. "Income year" defined.—For purposes of this act the words "income year" mean the calendar year or the fiscal year upon the basis of which the net income is computed under Chapter 5 of Title 65, Code of Laws of South Carolina, 1952, as amended, and, if no fiscal year has been established, they mean the calendar year.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act, upon approval by the Governor, shall be effective for taxable periods beginning after December 31, 1961.

Approved the 14th day of April, 1961.

(R254, H1487)

No. 168

An Act To Amend Section 15-1508, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Clerk Of The Civil And Criminal Court Of Charleston, So As To Provide For The Appointment Of A Temporary Clerk Of Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1508, 1952 Code, amended—Civil and Criminal Court of Charleston—appointment of temporary clerk.—Section 15-1508, Code of Laws of South Carolina, 1952, as amended, is further amended by adding the following proviso at the end thereof: "*Provided*, that in the event the duly appointed clerk is temporarily unable to perform the duties of his office, the judge of the court may appoint a temporary clerk who shall have the same powers and duties as the regular appointed clerk. The temporary clerk shall receive such compensation as may be appropriated by the County Council of Charleston."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R255, H1522)

No. 169

An Act To Amend Section 15-1601, Code Of Laws Of South Carolina, 1952, Relating To The Territorial Jurisdiction Of The Civil Court Of Florence County, So As To Extend The Territorial Jurisdiction Of The Civil Court Of Florence County So As To Include The Whole County If The Election Provided For Herein Results Favorably Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1601, 1952 Code, amended, if election favorable—Civil Court of Florence County established.—If the result of the election provided for herein is favorable, Section 15-1601, Code of Laws of South Carolina, 1952, is amended to read as follows: “Section 15-1601. A court inferior to the circuit court to be known as the Civil Court of Florence County is hereby established for the County of Florence.”

SECTION 2. Election concerning territory of court.—An election shall be held at the same time as the General Election in November, 1962, in order to determine if the people of Florence County desire to have the territory of the Civil Court of Florence County extended to cover the whole county. The election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 3. Question—notice.—The question submitted to the qualified electors shall be substantially in the form as follows:

“Shall the territorial jurisdiction of the Civil Court of Florence County be extended to include the whole county?

YES ☐

NO ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the box opposite the word ‘Yes’ and those opposing the question shall deposit a ballot with a check or cross mark in the box opposite the word ‘No’.”

Notice of the holding of such election shall be given by the Commissioners of Election for Florence County by publication thereof in a newspaper published in Florence County and having circulation therein at least twice. The first advertisement shall appear not less than fifteen days prior to the date of the election and the second publication shall appear not more than ten days prior to the election. Such notice shall state the date on which the election is to be held and the question to be submitted.

SECTION 4. Results.—As soon as practicable following the election, the Commissioners of Election for Florence County shall canvass the results and certify them within ten days to the Clerk of Court for Florence County and to the Secretary of State. Thereafter neither the results of such election nor the manner of holding the election shall be open to question except by a suit or proceedings instituted within thirty days from the date of the filing of such certified copy.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R259, H1623)

No. 170

An Act To Amend The Subparagraph Captioned "General Guardian And Lunacy Commitment" Of Section 1 Of Act No. 838 Of 1958 Relating To Certain Fees Charged By The Judge Of Probate Of Charleston County So As To Provide That The Fees Paid For Certain Lunacy Commitments Be Paid To Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 838 of 1958 amended—judge of probate fees for general guardians and lunacy commitments.—The subparagraph captioned "GENERAL GUARDIAN AND LUNACY COMMITMENT" of Section 1 of Act No. 838 of 1958 is amended by striking out the word "by" on the last line thereof

and inserting in lieu thereof the word "to" so that when so amended the subparagraph shall read as follows:

"GENERAL GUARDIAN AND LUNACY COMMITMENT

General Guardian, appointment of: Including filing, indexing and hearing Petition; filing, indexing and recording Bond; entering and filing Order and three certified copies thereof; issuing, indexing and recording Letters; two Certificates of Guardianship; and allied Orders entered and filed at time of appointment, and three certified copies thereof	\$ 12.00
Lunacy commitment procured by the Probate Court, paid to Charleston County	10.00"

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R260, H1624)

No. 171

An Act To Amend Section 15-1556, Code Of Laws Of South Carolina, 1952, Relating To Holding Of The City Court Of Charleston And The Police Court Of The City Of Charleston In The Absence Of The Recorder, So As To Further Designate Persons Who May Hold The Courts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1556, 1952 Code, amended—City of Charleston—holding court when recorder absent.—Section 15-1556, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following:

"Section 15-1556. In the absence of the Recorder, the City Court of Charleston and the Police Court of the City of Charleston shall be held by the Judge of the Civil and Criminal Court of Charleston, or by one of the following to be designated by the Mayor of the City: a Magistrate of Charleston County, an Alderman of the City of Charleston, a member of the legal staff of the City of Charleston."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R261, H1625)

No. 172

An Act To Define The Voting Precincts In Wards 13, 14, 15 And 16 Of The City Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Charleston voting precincts—Wards 13, 14, 15 and 16 defined.—Notwithstanding the provisions of Section 23-163, Code of Laws of South Carolina, 1952, as amended, the voting precincts within Wards 13, 14, 15 and 16 of the City of Charleston shall consist of eight precincts as follows:

Ward 13, Precinct No. 1 shall include all that area of Ward 13 lying east of a line which commences at the intersection of U. S. Highway 17 and Stocker Drive, running thence southeast down Stocker Drive to its intersection with Chadwick Drive, thence southwest down Chadwick Drive to its intersection with the Atlantic Coast Line Railroad, thence east down Atlantic Coast Line Railroad to its intersection with S. C. Route 171, thence south on S. C. Route 171 to its intersection with Wappoo Creek; with a poll at or near St. Andrews Elementary School; Ward 13, Precinct No. 2 shall include all that area of Ward 13 lying west of a line which commences at the intersection of U. S. Highway 17 and Stocker Drive, running thence southeast down Stocker Drive to its intersection with Chadwick Drive, thence southwest down Chadwick Drive to its intersection with the Atlantic Coast Line Railroad to its intersection with S. C. Route 171, thence south on S. C. Route 171 to its intersection with Wappoo Creek; with a poll at or near St. Andrews Elementary School.

Ward 14, Precinct No. 1 shall include all that area of Ward 14 lying east of a line which commences at the intersection of U. S. Highway 17 and Betsy Road, thence in a southeasterly direction down Betsy Road and along a line which is an extension of Betsy

Road to its intersection with Wappoo Creek; with a poll at or near Stono Park Elementary School; Ward 14, Precinct No. 2 shall include all that area of Ward 14 lying west of a line which commences at the intersection of U. S. Highway 17 and Betsy Road, thence in a southeasterly direction down Betsy Road and along a line which is an extension of Betsy Road to its intersection with Wappoo Creek; with a poll at or near Stono Park Elementary School.

Ward 15, Precinct No. 1 shall include all that area of Ward 15 lying east of a line which commences at the intersection of U. S. Highway 17 and Stono Drive running in a general northerly direction along Stono Drive and Playground Road to the northern boundary of Ward 15; with a poll at or near Albemarle Elementary School; Ward 15, Precinct No. 2 shall include all that area of Ward 15 lying west of a line which commences at the intersection of U. S. Highway 17 and Stono Drive running in a general northerly direction along Stono Drive and Playground Road to the northern boundary of Ward 15; with a poll at or near Albemarle Elementary School.

Ward 16, Precinct No. 1 shall include all that area of Ward 16 lying east of a line which commences at the intersection of S. C. Route 61 and S. C. Route 171, thence in a general northerly direction along S. C. Route 171 and S. C. Route 7 to its intersection with the Ashley River; with a poll at or near Northbridge Shopping Center; Ward 16, Precinct No. 2 shall include all that area of Ward 16 lying west of a line which commences at the intersection of S. C. Route 61 and S. C. Route 171, thence in a general northerly direction along S. C. Route 171 and S. C. Route 7 to its intersection with the Ashley River; with a poll at or near Northbridge Shopping Center.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R262, H1629)

No. 173

An Act To Amend Act No. 228 Of 1957, As Amended, Relating To The St. Andrew's Parish Parks And Playgrounds Commission So As To Redefine Its Territorial Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 228 of 1957 amended—St. Andrew's Parks and Playgrounds Commission—area.—Section 1 of Act No. 228 of 1957, as amended, is amended to read as follows:

"Section 1. There is hereby created a commission to be known as the St. Andrew's Parks and Playgrounds Commission whose territorial jurisdiction shall include that area west of the Ashley River in Charleston County known as St. Andrew's Parish lying outside the corporate limits of the City of Charleston as is now or may hereafter be constituted."

SECTION 2. Section 8 of Act 228 of 1957 amended—tax levy.—Section 8 of Act No. 228 of 1957, as amended, is further amended to read as follows:

"Section 8. For the purposes of carrying out the functions of St. Andrew's Parish Parks and Playgrounds Commission the county auditor shall annually levy and the county treasurer shall collect a tax of such number of mills on all taxable property situated within the jurisdiction of the commission as shall be fixed, determined and directed by a written resolution of St. Andrew's Parish Parks and Playgrounds Commission, duly transmitted to the county auditor, the proceeds of which shall be placed by the county treasurer to the credit of the St. Andrew's Parish Parks and Playgrounds Commission, and paid out by him from time to time for the purposes and functions of the commission upon warrants executed by the chairman; *provided*, however, that no tax shall be levied by the auditor unless and until the resolution fixing, determining and directing the same shall have been approved, in writing, by the majority of the legislative delegation. For the purpose of considering the resolution, the commission shall furnish an itemized budget."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R264, H1631)

No. 174

An Act To Create The Fripp Island Toll Bridge Authority; To Commit To It The Function Of Constructing And Operating A Toll Bridge Across The Body Of Water Separating Fripp Island And Hunting Island In Beaufort County Known As Fripp Inlet; To Prescribe The Functions And Powers Of The Authority; To Authorize The Authority To Borrow Money; To Confer Upon The Authority All Powers Contained In Chapter 3, Article 9, And Chapter 5, Title 59, Code Of Laws Of South Carolina, 1952; To Make Provision For The Disposition Of The Revenues Of The Authority; And To Make It Unlawful To Hurt Or Damage The Toll Bridge, Or Any Property Of The Authority, Or To Make Use Of The Same Except In Accordance With The Regulations Of The Authority, And To Prescribe Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that Fripp Island is a large island in Beaufort County fronting on the Atlantic Ocean, and is now inaccessible except by water. As a consequence, its development has thus far been retarded. Private investors now propose to develop the Island and sell properties thereon which can be utilized by many persons for resort purposes. Such potential use of Fripp Island makes it desirable that a bridge be constructed so as to render the same accessible. Studies have been conducted to determine the most feasible approach, and it has been determined that a bridge of fixed span type can be constructed from Hunting Island across Fripp Inlet to Fripp Island, thus furnishing a means by which vehicular traffic can reach Fripp Island. On the basis of its findings, the General Assembly has determined to create Fripp Island Toll Bridge Authority (hereinafter called "the Authority"), and to authorize and empower the Authority to construct and operate a toll bridge under the terms and conditions set forth in this act.

SECTION 2. Fripp Island Toll Bridge Authority created—powers and duties.—There is hereby created a body corporate and politic of perpetual succession to be known as the Fripp Island Toll Bridge Authority. It shall be the function of the Authority to cause the construction of, and to operate, a toll bridge across Fripp Inlet and

connect Fripp Island with Hunting Island in order that vehicular traffic might proceed to and from Fripp Island and Hunting Island. The Authority shall be further empowered to construct such access roads on either or both of Hunting Island and Fripp Island as may be necessary or convenient to the proper functioning of the toll bridge. Such bridge, together with all causeways, rights-of-way, approaches thereto, and all other properties, real and personal, used or useful in the construction and operation of the toll bridge, shall henceforth be referred to collectively as the toll bridge. The Authority shall have all of the specific powers and functions prescribed by this act.

SECTION 3. Board—members—terms—vacancies—compensation—officers.—The Authority shall consist of a board of three members, each of whom shall be a resident of Beaufort County, and who shall hold office for terms of four years and until their respective successors shall have been appointed and qualified. In the event of a vacancy in office, successors shall be appointed for the remainder of the unexpired term. The initial appointees and all successors shall be appointed by the Governor upon the recommendation of the Senator and at least one member of the House of Representatives from Beaufort County. The members of the Authority shall receive an annual salary of one hundred dollars and shall be entitled to be reimbursed for all necessary travel expenses incurred in connection with their official duties, including such expenses as may be incurred in attending meetings, at the rate allowed state officers, as specified in the then current State Appropriation Act. Such payments shall be effected from any sums which the Authority receives. As soon as the initial board shall have been appointed, its membership shall convene and elect one of its members as chairman and another as secretary, each of whom shall hold office for terms corresponding to their terms as members of the Authority. The secretary of the Authority shall from time to time file in the office of the Clerk of Court for Beaufort County appropriate certificates showing the personnel of the Authority and the duration of the terms of the respective members.

SECTION 4. Powers.—The Authority shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.

(4) To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.

(5) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(6) To design, plan, construct or cause to be constructed, and thereafter maintain and operate as a toll bridge, a bridge and access roads, which, together with their approaches, shall constitute a thoroughfare connecting Fripp Island with Hunting Island in Beaufort County, and in so doing, shall span Fripp Inlet.

(7) To enlarge and improve such toll bridge.

(8) To purchase and acquire equipment and materials, to be used or useful in the construction and operation of such toll bridge.

(9) To let contracts, privately or upon competitive bidding after publication of such notice as the Authority shall deem proper, for the construction of the toll bridge, and for the acquisition of property, used or useful in connection with its construction and operation.

(10) To make use of County and State highway rights-of-way in constructing the approaches to such toll bridge.

(11) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(12) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of the toll bridge. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the toll bridge, and any extension, addition and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the toll bridge, or any extension, addition or improvement thereto, shall be fully in operation (not exceeding four years), such sum as is needed to supply working capital to place the toll bridge in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the toll bridge. Neither the faith and credit of the State of South Carolina, nor of Beaufort County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that

effect. Neither the members of the Authority nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all powers granted by Chapter 3, Article 9, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that future amendments and modifications of Chapter 3, Article 9, and of Chapter 5, Title 59, Code of Laws of South Carolina, 1952, shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the Authority by Chapter 3, Article 9, and by Chapter 5, Title 59, the Authority may make all pledges and covenants authorized by any provision of either chapter, and may confer upon the holders of its securities all rights and liens authorized by either chapter. Notwithstanding the provisions of Chapter 3, Article 9, and Chapter 5, Title 59, the Authority may:

(a) Issue bonds payable solely from the net revenues derived from the operation of its toll bridge.

(b) Issue sufficient bonds for any purpose herein authorized which shall be on a parity inter sese, or issue bonds secured by a first lien and pledge of the net revenues, and other bonds which shall be junior and subordinate in all respects to any first lien bonds so issued.

(c) Provide that all bonds of any issue mature at a fixed time in lieu of serial maturities as contemplated by Section 59-382, Code of Laws of South Carolina, 1952.

(d) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(e) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the toll bridge, in accordance with and in the order of priority prescribed by the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities.

(f) Provide that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, insuring to the benefit of all holders or beneficiaries of its securities.

(g) Dispose of its obligations at public or private sale, and upon such terms, conditions, and rates of interest as it shall approve.

(h) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve.

(i) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(j) Covenant and agree that no free service will be furnished to any person, firm, or corporation; *provided*, the Authority may prescribe the scope to which free use of the toll bridge may be granted to employees of any subdivision or division of the State and their official vehicles.

(k) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(l) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

(13) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the Authority.

SECTION 5. Revenues.—All net revenues derived from the toll bridge, whose disposition the Authority shall not have covenanted to otherwise dispose of, shall be used in the maintenance, operation and improvement of the toll bridge, or to retire indebtedness due by the Authority pursuant to authorization of law.

SECTION 6. Rates not subject to regulation.—The rates charged for the use of the toll bridge shall not be subject to supervision or regulation by any State bureau, board, commission or other like instrumentality or agency thereof.

SECTION 7. Exempt from taxes.—All property of and income of the Authority shall be exempt from all taxes levied by the State, county, or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 8. Powers not diminished so long as Authority indebted.—So long as the Authority shall be indebted to any person, firm or corporation on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act, and the powers granted to the Authority, shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the Authority and the holders of such obligations.

SECTION 9. Highway Department not to take over bridge unless free of debt.—This bridge shall not be thrown back upon the State Highway System and operated by the State unless the bridge is entirely free of debt and all obligations for the construction of the bridge and the appurtenances thereto are paid and discharged in full.

SECTION 10. Unlawful to damage bridge—penalties.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the toll bridge, or any part of it, or any apparatus or equipment belonging to the Authority, which is used in the operation of the toll bridge, or to make use of its toll bridge except in accordance with the regulations promulgated by the Authority. Any person so offending shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the Authority.

SECTION 11. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R265, S24)

No. 175

An Act To Amend Sections 23-557, 23-558 And 23-559, Code Of Laws Of South Carolina, 1952, Providing For The Choosing Of Presidential Electors, Their Meeting And Organization, And Disposition Of The Lists For President And Vice President, So As To Comply With Directions Of United States Statutes Governing The Same Field; And To Repeal Sections 23-560, 23-561 And 23-562, Code Of Laws Of South Carolina, 1952, Relating To The Subject Of Lists Of Candidates For President And Vice President Voted For And The Disposition Of The Lists.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-557, 1952 Code, amended—election of Presidential electors—duties of Governor.—Section 23-557, Code of Laws of South Carolina, 1952, relating to the choosing of Presidential Electors, is amended by striking out the entire section and inserting in lieu thereof the following :

“Section 23-557. When an election for President and Vice President of the United States occurs there shall be elected, by general ticket, as many electors for President and Vice President as this State shall be entitled to appoint, and each elector in this State shall have a right to vote for the whole number of such electors. The several persons, to the number required to be chosen, having the highest number of votes shall be declared and deemed duly appointed electors.

It shall be the duty of the Governor, as soon as practicable after the conclusion of the appointment of the electors pursuant to the laws of the state providing for the election and appointment of the electors, to communicate by registered mail under the seal of the State to the Administrator of General Services a certificate of appointment of the electors, setting forth the names of the electors and the canvass or other ascertainment under the laws of South Carolina of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast. It shall also thereupon be the duty of the Governor to deliver to the electors of the state, on or before the day on which they are required by law to meet, six duplicate originals of the same certificate under the seal of the State. If there shall have been any final determination in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors, it shall be the duty of the Governor, as soon as practicable after the determination, to

communicate under the seal of the State to the Administrator of General Services a certificate of such determination.”

SECTION 2. Section 23-558, 1952 Code, amended.—Presidential electors — meeting — officers — vacancies — ballots — certificates.—Section 23-558, Code of Laws of South Carolina, 1952, relating to the meeting of Presidential Electors and their organization, is amended by striking out the entire section and inserting in lieu thereof the following :

“Section 23-558. The electors for President and Vice President shall convene at the capitol, in the Office of the Secretary of State, at 11:00 in the forenoon, on the first Monday after the second Wednesday in December next following their appointment, and shall proceed to effect a permanent organization by the election of a president and secretary from their own body. The electors shall next proceed to fill by ballot and by plurality of votes all vacancies in the electoral college occasioned by the death, refusal to serve, or neglect to attend, of any elector. The electors shall then and there vote by ballot for President and Vice President, one of whom at least shall not be an inhabitant of the same state with themselves. The electors shall make and sign six certificates of all the votes given by them for President and Vice President, each of which certificates shall contain two distinct lists, one of the votes for President and the other for Vice President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by the Secretary of State by direction of the Governor. The electors shall seal up separately the certificates and lists of the electors so made by them, and certify upon each that the list of all of the votes of the state given for President, and of all of the votes given for Vice President are contained therein.”

SECTION 3. Section 23-559, 1952 Code, amended, disposition of certificates.—Section 23-559, Code of Laws of South Carolina, 1952, providing for the permanent organization and voting of Presidential Electors, is amended by striking out the entire section and inserting in lieu thereof the following :

“Section 23-559. The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner :

First. They shall forthwith forward by registered mail one of the certificates and lists to the President of the Senate at the seat of government

Second. Two of the certificates and lists shall be delivered to the Secretary of State of South Carolina, one of which shall be held subject to the order of the President of the Senate, and the other shall be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of the certificates and lists to the Administrator of General Services at the seat of government, one of which shall be held subject to the order of the President of the Senate.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled."

SECTION 4. Repeal—Sections 23-560, 23-561 and 23-562, 1952 Code repealed.—Sections 23-560, 23-561 and 23-562, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R266, S127)

No. 176

An Act To Ratify An Amendment To Section 21 Of Article V Of The Constitution Of South Carolina Relating To The Jurisdiction Of Magistrates, So As To Provide That Magistrates In Anderson County Having Jurisdiction In Addition To That Conferred By The Constitution Upon Other Magistrates In Anderson County Shall Maintain An Office In The City Of Anderson.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 21, Article V, State Constitution, ratified—Anderson County Magistrates—jurisdiction—residence requirements.—The amendment to Section 21 of Article V of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 929 of 1960, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having

been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added to Section 21, Article V, of the Constitution of South Carolina, 1895, the following:

“Provided, further, That in addition to the jurisdiction conferred by this Constitution upon Magistrates in Anderson County, any Magistrate or Magistrates who are licensed to practice law in this State and who have been actively engaged in the practice of law in this State for a period of two (2) years and residing in Anderson County, when designated by the appointing power as a special magistrate, shall have the same jurisdiction as the Court of Common Pleas and the Judges thereof and concurrent therewith in all cases in law and equity, special proceedings and remedial remedies, where the value of the property in controversy or the amount claimed does not exceed the sum of One Thousand (\$1,000.00) Dollars, to issue and hear writs of habeas corpus to determine the custody of minor children: Provided, however, They shall not have jurisdiction in any case where the title to real estate is involved, and such Magistrate or Magistrates shall have jurisdiction in such criminal cases as the General Assembly may prescribe, but such jurisdiction shall not extend to cases where the punishment exceeds a fine of Five Hundred (\$500.00) Dollars and/or imprisonment for eighteen (18) months, (either or both) with or without hard labor, except, however, such jurisdiction in criminal cases may be extended by the General Assembly to include any and all violations of the laws relating to intoxicating and/or alcoholic liquors, cases charging non-support of wife and/or child or children, bastardy, drawing and uttering fraudulent check, driving motor vehicle under the influence of intoxicating liquor, and disposing of property under lien, and in such cases said Magistrates shall have the power to impose such sentences as are provided by law for such offenses. The said Magistrates having the additional jurisdiction herein provided, may, if designated special Magistrates by the appointing power, be named County Judges, or given such other titles as the General Assembly may prescribe. The manner of selecting jurors to serve said Magistrates in exercising such additional jurisdiction and the area from which such jurors are selected, may be as the General Assembly shall prescribe. Provided, further, that no Magistrate shall have the additional jurisdiction herein provided unless he maintains an office in the City of Anderson.”

Ratified the 18th day of April, 1961.

(R267, S171)

No. 177

An Act To Amend Act No. 879 Of The Acts Of 1960 Relating To The Croft Fire District In Spartanburg County, So As To Further Specify The Area Which Will Be Encompassed Within The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 879 of 1960 amended—fire district created if election favorable—area.—Section 3 of Act No. 879 of the Acts of 1960 is amended by striking out on lines six, seven and eight the following: “except South Carolina Road 34 (Spartanburg Whitestone Highway) shall be the northeastern and eastern boundary of the district” and by changing the period at the end thereof to a comma and adding the following: “excluding all lands north and east of the main line right of way of the Columbia-Asheville Division of the Southern Railway System and east and south of S. C. Secondary Highway No. 1226.” so that the section when amended shall read as follows:

“Section 3. If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Croft Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R.M.C. office of Spartanburg County in plat book 40, at pages 258-263, excluding all lands north and east of the main line right of way of the Columbia-Asheville Division of the Southern Railway System and east and south of S. C. Secondary Highway No. 1226.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R269, S308)

No. 178

An Act Providing For Annual Audits Of The Schools Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dorchester County schools to be audited.—The Dorchester County Legislative Delegation shall annually retain the services of a competent auditor who shall audit the books and affairs of each school of the county.

SECTION 2. Payment.—The payment for all school audits shall be made from the proceeds allocated to the several schools on a pro rata basis.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R271, S312)

No. 179

An Act To Provide For Magistrates' Juries And Terms Of Court In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County—jury lists for magistrates.—The Jury Commissioners of Jasper County shall each year, at the time of preparing the jury list and jury box for the Court of Common Pleas and General Sessions, prepare a jury list and jury box for each magistrate within the county. The number of names to be placed in the magistrates' jury boxes shall be as follows: Coosawhatchie—150; Pocotaligo—60; Robert—60; and Hardeeville—100.

SECTION 2. Terms of magistrates' courts.—Jury trials in magistrates' courts in Jasper County shall be held on the first Monday of each month and shall continue until all cases before such magistrates shall be disposed of. *Provided*, that when a Court of Common Pleas or General Sessions is held in the county on the first Monday, the magistrates' courts shall be held on the succeeding Monday.

SECTION 3. Drawing of jurors.—The Jasper County Jury Commission shall on Wednesday morning prior to the term of magis-

trates' courts draw a list of eighteen jurors from the several jury boxes, forward a copy of such list to the several magistrates and post a copy within the courthouse. The jurors drawn shall serve at any term called within that jurisdiction during that month.

SECTION 4. Certain defendants to be tried immediately.—Should a defendant in a criminal matter demand an immediate trial, the magistrate shall set such trial as soon thereafter as is reasonably possible and the jurors drawn for service during that month shall serve for such trials.

SECTION 5. Jurors to serve only once every three months.—No juror shall be drawn for service in a magistrate's court more than one time every three months.

SECTION 6. Strikes—persons to be summoned.—The interested parties may strike, as provided by law, in advance of the trial and only the persons to serve shall be summoned.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R272, H1107)

No. 180

An Act To Amend Section 15-461, Code Of Laws Of South Carolina, 1952, Relating To Final Discharge Of Certain Fiduciaries, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-461, 1952 Code, amended—discharge of certain fiduciaries—requirements for.—Section 15-461, Code of Laws of South Carolina, 1952, is amended by striking the following words in the last sentence of the section: "who has not been made a party to such application, either by personal service of the notice or by publication in the mode provided for absent defendants.", and inserting in lieu thereof the following: "unless the provisions of this

section have been complied with.”, so that when so amended the section shall read as follows:

“Section 15-461. It shall not be lawful for any judge of probate in this State to grant a final discharge to any executor, administrator, trustee, guardian or committee unless such executor, administrator, trustee, guardian or committee shall have finally accounted for the estate in his hands and given notice in a newspaper of the county or, if there be no newspaper published in the county, in some newspaper having the greatest circulation therein for the space of at least one month that on a day certain application will be made to the judge of probate for a final discharge. No such discharge shall affect any distributee, legatee, cestui que trust, ward or mentally incompetent unless the provisions of this section have been complied with.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R273, H1192)

No. 181

An Act To Repeal Section 30-70, Code Of Laws Of South Carolina, 1952, Requiring The Clerks Of Both Houses Of The General Assembly To Furnish The Comptroller General And The Treasurer Of The State Certain Certificates.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 30-70, 1952 Code, repealed.—Section 30-70, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R274, H1193)

No. 182

An Act To Amend Section 30-64, Code Of Laws Of South Carolina, 1952, Providing For Compensation Of Officers And Employees Of The General Assembly, So As To Delete The Reference To The Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-64, 1952 Code, amended—compensation.—Section 30-64, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 30-64. All persons elected or appointed under the provisions of this chapter shall receive such compensation as the General Assembly shall determine.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R275, H1194)

No. 183

An Act To Amend Section 30-59, Code Of Laws Of South Carolina, 1952, Providing For The Election Of Chaplains For The Senate And House Of Representatives, So As To Provide For Their Election On The First Day Of The Session Of Each General Assembly.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-59, 1952 Code, amended—election of chaplains.—Section 30-59, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 30-59. The Senate and House of Representatives shall each elect on the first day of the session of each General Assembly a Chaplain who shall serve as such officer during the sessions.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R276, H1275)

No. 184

An Act To Provide That Persons Who Allow Their Property To Be Used As Public Shelters For Civil Defense Purposes Shall Not Be Civilly Liable For The Injury Or Death Of Any Person Who May Be Injured Or Killed On Such Premises, Or For The Loss Of Or Damage To The Property Of Any Person On Such Premises.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Persons owning property used for civil defense exempt from certain liability.—No person owning or controlling property who voluntarily and without compensation permits such property to be used as a public shelter for civil defense purposes shall be civilly liable for the injury or death of any person who may be injured or killed on such premises, or for the loss of or damage to the property of any person on such premises, during any time such premises are actually being used as a public shelter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R277, H1419)

No. 185

An Act To Amend Act 108 Of 1957, Relating To The System Of Vocational Rehabilitation Of The Physically Or Mentally Handicapped, So As To Include Within The Definition Of Physically Handicapped Individuals Severely Handicapped Persons And To Include Within The Definition Of Eligible Physically

Handicapped Individuals Severely Handicapped Persons Who Are In Need Of Self Care Rehabilitation; To Define The Term "Self Care Rehabilitation Services"; To Provide That The State Agency Of Vocational Rehabilitation May Provide Self Care Rehabilitation Services For Severely Handicapped Persons; And To Provide That The State Agency Of Vocational Rehabilitation Shall Not Be Responsible For Permanent Cutsodial Care.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (b) (4), Section 2 of Act 108 of 1957 amended—term "physically handicapped individual" defined.—Item (b) (4) of Section 2 of Act 108 of 1957 is amended by striking it out and inserting in lieu thereof the following :

"(4) The term 'physically handicapped individual' means any individual who is under a physical or mental disability, except vocational rehabilitation of blind, which constitutes a substantial handicap to employment, but which is of such a nature that vocational rehabilitation services may reasonably be expected to render him fit to engage in a remunerative occupation, and persons who are severely handicapped and who are of employable age with a physical or mental disability so handicapping as to require that he be institutionalized or have the services of an attendant in order to provide himself with his daily living requirements."

SECTION 2. Item (b) (10), Section 2 of Act 108 of 1957 amended —term "eligible physically handicapped individual" defined.—Item (b) (10) of Section 2 of Act 108 of 1957 is amended by adding between the words "rehabilitation" and "is" on line 5 the following: "or self care rehabilitation", so that when amended the item shall read as follows :

"(10) The term 'eligible physically handicapped individual', when used with respect to diagnostic and related services, training, guidance and placement, means any physically handicapped person, except the vocational rehabilitation for the blind, whose vocational rehabilitation or self care rehabilitation is determined feasible by the director, and when used with respect to other vocational rehabilitation services means an individual meeting the above requirement who is also found by the director to require financial assistance with respect thereto, after full consideration of his eligibility for any similar benefit by the way of pension, compensation and insurance."

SECTION 3. Section 2 of Act 108 of 1957 amended—Item 11 added—term “self care rehabilitation services” defined.—Section 2 of Act 108 of 1957 is amended by adding new Item (11) which shall read as follows:

“(11) The term ‘self care rehabilitation services’ means such diagnostic, psychological, medical, surgical, physical restoration, guidance, training and related services including equipment and prosthetic appliances and training in their use needed to enable a severely handicapped person to dispense with or largely dispense with the need for institutional care or for the services of an attendant and to achieve, insofar as practicable, the ability for independent living.”

SECTION 4. Section 6 of Act 108 of 1957 amended—powers and duties—further.—Section 6 of Act 108 of 1957 is amended by adding at the end thereof the following: “The agency shall not assume responsibility for permanent custodial care of any individual and shall provide rehabilitation services only for a period long enough to accomplish the rehabilitation objective or to determine that rehabilitation is not feasible through the services which can be made available to the individual being served.”

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R278, H1641)

No. 186

An Act Creating The Florence Public Library; Providing For Its Governing Body; Prescribing The Terms Of Office, Powers And Duties Of The Members Of The Governing Body; Transferring Title To Property And Facilities Used For Library Purposes Within The Library Area; Transferring Funds To The Library Board; And To Provide Funds For The Operation And Maintenance Of The Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence Public Library created.—There is hereby created an eleemosynary corporation under the control of the State,

to be known as the Florence Public Library, which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. Area.—The area over which the Florence Public Library Board shall exercise its jurisdiction and furnish library facilities shall be the same as the present Florence School District No. 1 or as it may hereafter be defined.

SECTION 3. To be managed by board of trustees — appointments—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, five in number, to be appointed by the Governor upon the advice and consent of the Senator from Florence County, and to serve without pay. The original appointments shall be made as follows: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, and until their successors are appointed and qualify. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of five years and until their successors shall be appointed and qualify. Vacancies shall be filled by the appointing power for unexpired terms as they occur.

SECTION 4. Officers—bonding of—meetings.—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed necessary, and may make rules and regulations for the conduct of its business. The board may require of its chairman, its treasurer and the librarian a suitable bond for the faithful performance of their respective duties. Such bonds shall be paid for from the funds of the library account. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 5. Employ librarian.—The board shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or person related to a board member within the fifth degree shall be so employed.

SECTION 6. Powers and duties.—The corporation shall operate and maintain public library facilities in the area. The corporation may, by way of amplification and classification, but without limiting the generality of powers conferred on it by Section 1:

(1) purchase, lease, hold, and dispose of real estate and personal property;

(2) acquire books and other informational material and provide for their circulation throughout all sections of the county;

(3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries;

(4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate individuals;

(5) cooperate or enter into contracts with any state or federal agency whereby it will receive substantial aid in carrying out the purposes of the library; and

(6) generally do all things necessary and proper to establish, equip, maintain and operate a library system within the district.

SECTION 7. Further.—The board shall provide and make available to the citizens of the area good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities.

SECTION 8. Board members not to contract with board.—No member of the board or persons related to a member of the board within the fifth degree shall contract with the board and any such attempted contract shall be void.

SECTION 9. Tax levy—expenditures.—There is hereby levied a tax of three mills upon all taxable property within the library area as defined in Section 2 of this act, the proceeds thereof to be applied to the operation and maintenance of the library. The tax shall be collected in the same manner as other taxes are levied and collected for general county purposes in Florence County. The funds appropriated shall be credited to the account of the Florence Public Library, and approval of the chairman and the treasurer of the board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman and treasurer of the board, such claim or voucher shall constitute a valid obligation against the funds credited to the library account. This account shall be audited each year by the public accountant annually engaged by the grand jury to audit county finances.

SECTION 10. Reports.—The board shall annually, on or before the first of September of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries operated by it, the character of the service rendered to the people of the district, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 11. Transfer of property.—The title to all property owned by Florence School District No. 1 used for public library purposes shall be transferred by the board of trustees of School District No. 1 to the Florence Public Library Board.

SECTION 12. Transfer of funds.—The Treasurer of Florence County is authorized and directed to transfer all library funds belonging to or accruing to the present library district to a special account to be expended by the Florence Public Library Board.

SECTION 13. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R280, H1676)

No. 187

An Act To Provide For The Deposit Of Certain Abbeville County Monies And To Provide An Appropriation To Purchase Land For The National Guard Armory At Abbeville.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County—deposit of monies—purchase land.—The interest received on deposits of county funds by the County Treasurer of Abbeville County shall, unless otherwise directed by law, be paid into the general fund of the county for general county purposes. From the amount of interest so paid in, there is hereby appropriated a sum not to exceed three thousand dollars,

to be paid as the county's portion of the consideration for the purchase of land to be used in the enlargement of the National Guard Armory at Abbeville.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R281, S52)

No. 188

An Act To Provide That The State Crop Pest Commission Shall Make An Annual Report To The General Assembly Of Its Administration Of The Economic Poisons Laws Of The State And Make Copies Available Upon Request.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Crop Pest Commission to make annual reports.—The State Crop Pest Commission shall make an annual report of its administration of the economic poisons laws of the State to the General Assembly as early in each session of the General Assembly as may be practicable. Copies of the report shall be made available to any interested person upon request.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R283, S320)

No. 189

An Act To Amend Section 65-2173, Code Of Laws Of South Carolina, 1952, Relating To The Term Of Office Of Tax Collector In Marlboro And Saluda Counties, So As To Further Provide For The Term Of The Collector In Saluda County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2173, 1952 Code, amended—terms of tax collectors for Marlboro and Saluda Counties.—Section 65-2173, Code of Laws of South Carolina, 1952, is amended by striking the word “said” on line one and inserting in lieu thereof the words “Saluda and Marlboro”, and by inserting before the word “and” on line three the following: “, in Saluda County shall commence on July first of each odd numbered year,” and by adding at the end the following: “The present tax collector for Saluda County shall hold office until June 30, 1963.” so that when so amended, the section shall read as follows:

“Section 65-2173. The term of office of the tax collector or collectors in Saluda and Marlboro counties shall be for two years and until their successors shall have been appointed and qualified, in Saluda County shall commence on July first of each odd numbered year and in Marlboro County shall commence on July first of each even numbered year. The present tax collector for Saluda County shall hold office until June 30, 1963.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R284, S326)

No. 190

An Act To Authorize The Election Of A Recorder For The Town Of Prosperity In Newberry County, And To Define His Duties And Powers And To Prescribe The Term Of Office.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Prosperity may employ recorder.—The Town Council of the Town of Prosperity in Newberry County may employ a Recorder. The recorder shall be elected by a majority vote of the Town Council of the Town of Prosperity, and his term of office shall be coterminous with that of the Mayor of the Town of

Prosperity. The recorder shall be paid such salary or compensation as the Town Council of the Town of Prosperity shall ordain.

SECTION 2. Jurisdiction.—The jurisdiction and powers of the recorder in criminal cases shall be the same as that vested in the Mayor of the Town of Prosperity.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R285, S330)

No. 191

An Act To Add Section 10-1312 To The Code Of Laws Of South Carolina, 1952, So As To Make Special Provisions For Legal Advertising Costs In York County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-1312, 1952 Code, amended—rates for legal advertising in York County.—Section 10-1312 is added to the Code of Laws of South Carolina, 1952, to read as follows:

“Section 10-1312. The provisions of Section 10-1308 shall not be applicable in York County. Newspapers in York County publishing legal advertisings, as set forth in Section 10-1308, shall be paid one dollar per inch per insertion or the rate charged the general public for publishing comparable matter.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R287, S303)

No. 192

An Act To Amend Act No. 99 Of The Acts Of 1959, Relating To The Greenville-Spartanburg Airport District, As Amended By Act No. 733 Of The Acts Of 1960, By Further Prescribing The Conditions Under Which The Bonds Authorized Thereby May Be Issued, The Manner Of Their Execution, And The Uses To Which The Proceeds Of The Bonds Shall Be Put.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraphs 4 and 14, subparagraphs (d) and (g) of paragraph 16 and subparagraph (d) of paragraph 16A of Section 4 of Act 99 of 1959 amended—withdrawal and deposit of funds—issuance of bonds—execution—proceeds—payment.—

An act, entitled “An Act To Create The Greenville-Spartanburg Airport District; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of Not Exceeding Six Million Dollars; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed By The District And To Make Provision For Its Payment; To Provide For The Application For And Use Of Funds Which May Be Allocated To The District By The Federal, State Or Other Governments And To Provide For The Continuing Operation Of The Facilities Of The District”, approved the twenty-fifth day of March, 1959, as amended by Act No. 733 of the Acts of the General Assembly of the State of South Carolina for the year 1960, approved the fourteenth day of May, 1960, is hereby further amended in the following particulars:

1. Paragraph 4 of Section 4 is hereby stricken in its entirety and the following shall be inserted in lieu thereof and shall become paragraph 4 of Section 4:

“4. (a) To requisition, from time to time, moneys from the State Treasurer which have been derived from the principal proceeds of general obligation bonds issued pursuant to this act, whenever, in the opinion of the Commission, funds are required for any purposes for which the bonds shall have been issued. The requisition shall certify to the State Treasurer the sum which, in the opinion of the Commission, is required and shall set forth generally the nature

of the purposes to which the moneys are to be applied. Following the requisition of moneys, they shall be deposited in any bank or trust company having an office within the district, and shall thereafter be withdrawn and expended by the Commission for the purposes for which the bonds were issued.

(b) To deposit and withdraw moneys realized from the sale of revenue bonds issued pursuant to paragraph 15 of this section and to expend the moneys in the manner prescribed by the proceedings authorizing the issuance of the revenue bonds.

(c) To deposit moneys derived from revenue producing facilities in any bank or trust company having an office within the district and withdraw the moneys for the purpose of operating, maintaining, constructing, improving and extending any facility in its charge."

2. Paragraph 14 of Section 4 is hereby stricken and the following shall be inserted in lieu thereof and shall become paragraph 14 of Section 4:

"14. Issue under the conditions prescribed in paragraph 16 of this section, general obligation bonds of the district in an amount not exceeding six million dollars; *provided*, that the six million dollar limitation hereby fixed shall be reduced by the aggregate amount of any State or Federal funds received by the Commission from the State or Federal governments or from any agency thereof. On the occasion of the delivery of any bonds issued pursuant to paragraph 16 *infra*, the Commission shall certify to the extent if any to which State or Federal funds have been received by the Commission from the State or Federal governments, or any agency thereof, and any purchaser of bonds may rely upon such certificate to determine if the bonds being issued and delivered are within the limitations imposed by this paragraph. If any bonds authorized by this provision are issued and outstanding at the time when any such State or Federal funds are received or irrevocably set aside to the Commission, the obligation of such bonds shall not in anywise be affected thereby, and such bonds so issued and outstanding are declared to be valid and binding obligations of the district, payable from the unlimited ad valorem tax required to be levied by the provisions of subparagraph (f) of paragraph 16 *infra*."

3. Subparagraph (d) of paragraph 16 of Section 4 is hereby stricken in its entirety and the following shall be inserted in lieu thereof and shall become subparagraph (d) of paragraph 16 of Section 4:

“(d) All general obligation bonds issued pursuant to this act shall be manually signed by the Chairman of the Commission. The seal of the district shall be affixed to, impressed or reproduced upon each of such bonds, and each of such bonds shall be attested by the Secretary of the Commission. The coupons attached to such bonds shall be authenticated by a facsimile of the signatures of the Chairman and the Secretary of the Commission, who shall be in office on the date of the adoption of the resolution of the Commission authorizing the bonds. The delivery of the bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication.”

4. Subparagraph (g) of paragraph 16 of Section 4 is hereby stricken in its entirety and the following shall be inserted in lieu thereof and shall become subparagraph (g) of paragraph 16 of Section 4:

“(g) The proceeds derived from the sale of such general obligation bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund and shall be subject to withdrawal, upon warrants or orders of the Commission made pursuant to paragraph 4 of Section 4. Pending such withdrawals, the Treasurer of South Carolina shall, upon the request of the Commission, be empowered to invest and reinvest the proceeds derived from the sale of the bonds in direct general obligations of the United States of America having a maturity of not more than one year from the date as of which such investment shall be made. Income derived from such investments shall be applied to the payment of any interest to accrue on the general obligation bonds of the district.”

5. Subparagraph (d) of paragraph 16A of Section 4 is hereby stricken in its entirety and the following shall be inserted in lieu thereof and shall become subparagraph (d) of paragraph 16A of Section 4:

“(d) For the payment of the interest on the notes and the principal thereof, the full faith, credit and taxing power of the district shall be irrevocably pledged, and provision shall be made for the levy of a tax to pay such principal and interest in the manner provided for by subitem 15(f). The tax shall be levied to such extent as to produce not less than the aggregate of interest to be paid on notes that may be outstanding in each year, plus a sum equal to five per cent of the principal thereof, it being intended that if the notes herein authorized shall be issued for a period of more than

one year, at least five per cent of the face of each note shall be paid at the end of each year said note may be outstanding; *provided*, that the tax herein required to be annually levied for the payment of the principal and interest of the notes issued pursuant hereto need not be levied, if bonds whose proceeds are available to effect the payment of the notes shall be issued prior to the occasion in such year when the ad valorem tax levy required hereby would otherwise be made."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R288, S321)

No. 193

An Act Creating The Dorchester County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dorchester County Library created.—There is hereby created an eleemosynary corporation under the control of the State, to be known as the Dorchester County Library, which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointments—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, nine in number, to be appointed by the Governor upon the recommendation of a majority of the Dorchester County Legislative Delegation and to serve without pay. The original appointments shall be made as follows: two for terms of one year, two for terms of two years, two for terms of three years, and three for terms of four years, and until their successors are appointed and qualify. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of four years and until their successors shall be appointed and qualify. Vacancies shall be

filled by the appointing power for unexpired terms as they occur. Members of the board shall not serve consecutively for more than two terms, and shall be subject to removal for cause by the appointing power.

SECTION 3. Officers—bonding of—meetings.—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed necessary, and may make rules and regulations for the conduct of its business. The board may require of its chairman, its treasurer and the librarian a suitable bond for the faithful performance of their respective duties. Such bonds shall be paid for from the funds of the library account. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 4. Employ librarian.—The board shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure.

SECTION 5. Powers and duties.—The corporation may, by way of amplification and classification, but without limiting the generality of powers conferred on it by Section 1 :

- (1) purchase, lease, hold, and dispose of real estate and personal property ;
- (2) acquire books and other informational material and provide for their circulation throughout all sections of the county ;
- (3) accept donations of land, services, materials, books, and other things for the establishment and equipping of libraries ;
- (4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings, and other library facilities in commemoration of individuals ;
- (5) cooperate or enter into contracts with any state agency whereby it will receive substantial aid in carrying out the purposes of the library ;
- (6) enter into contracts with other counties to operate regional or joint libraries and facilities ; and
- (7) generally do all things necessary and proper to establish, equip, maintain and operate a county library system.

SECTION 6. Further.—The board shall provide and make available to the citizens of Dorchester County good books and informa-

tional material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board.

SECTION 7. Board members not to contract with board.—No member of the board shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations and expenditures.—Funds for the operation and maintenance of the county library shall be fixed by the annual county appropriations act. The funds appropriated shall be credited to the account of the Dorchester County Library, and approval of the chairman and the treasurer of the board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman and treasurer of the board, such claim or voucher shall constitute a valid obligation against the funds credited to the library account. This account shall be audited each year by the public accountant annually engaged by the grand jury to audit county finances.

SECTION 9. Reports.—The board shall annually, on or before the first of September of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R289, H1195)

No. 194

An Act To Amend Section 30-57, Code Of Laws Of South Carolina, 1952, Relating To The Duties Of The Sergeant At Arms Of The Senate, And To Repeal Section 30-58, Code Of Laws Of South Carolina, 1952, Specifying Mileage And Per Diem Which Shall Be Received By Clerks, Reading Clerks And Sergeants At Arms Of Both Houses in Case Of An Extra Session Of The General Assembly.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 30-57, 1952 Code, amended, duties of Sergeant at arms of Senate.—Section 30-57, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 30-57. The sergeant at arms of the Senate shall take exclusive care and charge of the Senate chamber and the committee rooms, and be held responsible for their keeping and the keeping and protection of the furniture and furnishings belonging to them, packing such as may need packing and occasionally inspecting and caring for the same during the recess of the General Assembly. The sergeant at arms of the Senate shall employ such laborers and help as may be necessary incident to the sessions of the General Assembly, in connection with the Senate room, Senate committee rooms, and cloak rooms, to perform such duties as may be necessary to the care and comfort of such rooms.”

SECTION 2. Section 30-58, 1952 Code, repealed.—Section 30-58, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R290, H1196)

No. 195

An Act To Amend Section 30-60 And 30-61, Code Of Laws Of South Carolina, 1952, Providing For The Appointment Of Certain Officers And Employees Of The Senate And House Of Representatives So As To Clarify The Method Of Appointment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-60, 1952 Code, amended—appointment of employees for the Senate.—Section 30-60, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 30-60. There shall be appointed at the commencement of the first session of every term of the General Assembly for the Senate :

(1) By the presiding officer of the Senate the secretary to the president, the secretary between sessions, the pages, the postmistress, a telephone page, three doorkeepers and a keeper of the president's office.

(2) By the clerk of the Senate an assistant clerk, the general desk clerks, the bill clerks, the journal clerks, the general committee clerks, the committee sergeant, the amendment clerks, the assistant amendment clerks, the attendants and the laborers.

(3) By the chairman of the finance committee two stenographers, a clerk and a keeper of the finance committee room.

(4) By the chairman of the judiciary committee the stenographers and a keeper of the judiciary committee room.

(5) By the chairman of other committees the general committee stenographers as specified in the General Appropriation Bill.”

SECTION 2. Section 30-61, 1952 Code, amended—appointment of employees for the House.—Section 30-61, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 30-61. The Clerk of the House of Representatives shall appoint all of the clerical and stenographic help in the House of Representatives and in addition thereto shall be authorized to employ two porters. The Speaker of the House of Representatives shall appoint the clerk of the Ways and Means Committee and the clerk of the Judiciary Committee, the secretary to the Speaker, the amendment clerks and all other employees of the House of Representatives.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R291, H1197)

No. 196

An Act To Repeal Section 30-62, Code Of Laws Of South Carolina, 1952, Relating To Certain Employees Under Control Of Sergeant-At-Arms And To Repeal Section 30-63, Code Of Laws Of South Carolina, 1952, Which Provides For The Compensation Of Journal And Bill Clerks Of The General Assembly.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-62, 1952 Code, repealed.—Section 30-62, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Section 30-63, 1952 Code, repealed.—Section 30-63, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R292, H1198)

No. 197

An Act To Amend Sections 30-53 And 30-54, Code of Laws of South Carolina, 1952, Providing For Stationery And Postage For Members Of The General Assembly, So As To Increase The Amount Authorized And To Delete Therefrom The References To Stationery And Mileage.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 30-53, 1952 Code, amended—postage allowance for Legislators.—Section 30-53, Code of Laws of South Carolina, 1952, is amended by striking out on line 2 the word “five” and inserting in lieu thereof the word “fifteen”, by striking out on line 4 the word “five” and inserting in lieu thereof the word “fifteen”, by deleting therefrom the references to stationery, and by striking out at the end of the section the words “and mileage” and placing a period after the word “diem”, so that when so amended the section shall read as follows:

“Section 30-53. The clerk of the Senate shall, on the first day of each session, draw a pay certificate of fifteen dollars in favor of each Senator and the clerk of the House of Representatives shall likewise,

on the first day of each session, draw a pay certificate of fifteen dollars in favor of each member of the House of Representatives, which shall be given in lieu of all postage to be used by such Senator or Representative in his official capacity during each session and shall be in addition to his per diem."

SECTION 2. Section 30-54, 1952 Code, amended—stationery for each House.—Section 30-54, Code of Laws of South Carolina, 1952, is amended by striking out the last sentence so that when so amended the section shall read as follows:

"Section 30-54. The clerks of the Senate and of the House of Representatives shall each furnish for his house for its use and for the use of its several committees such stationery as may be necessary for each session."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R293, H1371)

No. 198

An Act To Amend Section 37-133, Code Of Laws Of South Carolina, 1952, Relating To Municipal License Fees And Taxes, So As To Provide That In Addition To License Fees Charged On A Percentage Of Premiums Collected In A Municipality A Fire Insurance Company Or Its Agents May Be Charged A License Fee Of A Percentage Of The Premiums Realized From Risks Located Within The Municipal Limits With Preference Being Given To The Municipality Wherein The Insured Property Is Located.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-133, 1952 Code, amended—municipalities may collect license fees and taxes on insurance.—Section 37-133, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 37-133. Nothing elsewhere in this Title shall be construed as preventing any municipality from levying and collecting license fees or taxes in accordance with its ordinances. But no municipality shall charge a license fee to fire insurance companies or their agents licensed by the Commissioner in any other manner than on a percentage of the premiums collected in such municipality or realized from risks located within the limits of such municipality or both, such license fee not to exceed two per cent of the premiums collected in such municipality and realized from risks located in such municipality except in cities of fifty thousand inhabitants or more where not exceeding five per cent may be charged. Preference shall be given hereunder to the municipality wherein the insured property is located, and if a license is levied against the insuring company on such basis, such company shall not be subject to a similar license from a municipality wherein it may collect the premium for such transaction."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R294, H1626)

No. 199

An Act To Amend Item (3) Of Section 43-644, As Amended, Code Of Laws Of South Carolina, 1952, Relating To Magistrates Outside The City Of Charleston In Charleston County, So As To Redefine The Territorial Jurisdiction Of The Magistrate In St Andrew's Parish, To Give Him Ministerial Powers In Certain Other Territory, And To Provide For His Place Of Residence.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 3 of Section 43-644, 1952 Code, amended—Charleston County magistrate for St. Andrew's Parish—jurisdiction—residence.—Item (3) of Section 43-644, as amended, is further amended to read as follows:

"(3) One in the Parish of St. Andrew's whose jurisdiction shall be limited to the territory of the Parish lying outside the corporate limits

of the City of Charleston, as is now or may hereafter be constituted, and who shall have the right to appoint one constable. In addition, such magistrate shall have ministerial powers as ministerial magistrates in the City of Charleston have heretofore had, in that portion of the City of Charleston as is now or may hereafter be constituted west of the Ashley River. The magistrate for the Parish of St. Andrew's may reside within or without the limits of the City of Charleston west of the Ashley River and within the Parish."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R297, H1633)

No. 200

An Act To Amend Section 15-211, Code Of Laws Of South Carolina, 1952, Relating To The Qualifications Of Circuit Judges, So As To Provide That The President Of The Senate And The Speaker Of The House Of Representatives May Administer The Oaths Required By The Constitution.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-211, 1952 Code, amended—circuit judges to take oath—administration of.—Section 15-211, Code of Laws of South Carolina, 1952, is amended by inserting after the first comma on line three the following: "the President of the Senate, the Speaker of the House of Representatives," so that when amended the section shall read as follows:

"Section 15-211. The circuit judges of this State, upon their election, shall qualify by taking the oaths required by the Constitution of this State before a justice of the Supreme Court, the President of the Senate, the Speaker of the House of Representatives, a circuit judge, a clerk of the Supreme Court, a clerk of the court of common pleas or a probate judge of the county and shall forthwith enter upon their duties. Such oaths must be filed in the office of the Secretary of State."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of April, 1961.

(R299, H1647)

No. 201

An Act To Require The Clerk Of Court Of Pickens County, Notwithstanding Section 38-61, Code Of Laws Of South Carolina, 1952, To Issue His Venire Facias For Petit Jurors Summoned To Attend The Court Of General Sessions, Requiring Their Attendance On The Second Day Of The Week For Which They Have Been Drawn.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County—jurors for general sessions to be summoned on Tuesdays.—Notwithstanding Section 38-61, Code of Laws of South Carolina, 1952, the Clerk of Court of Pickens County shall issue his venire facias for such petit jurors summoned to attend the Court of General Sessions for Pickens County, requiring their attendance on the second day of the week for which they have been drawn.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R300, H1661)

No. 202

An Act To Define The Voting Precincts In St. Andrew's Parish In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. St. Andrew's Parish voting precincts defined.—Notwithstanding the provisions of Section 23-163, Code of Laws

of South Carolina, 1952, as amended, the voting precincts within St. Andrew's Parish shall consist of three precincts as follows:

Precinct No. 1 shall consist of that area shown as Section 1 on a plat of St. Andrew's Public Service District dated March, 1961 and recorded in the R.M.C. office for Charleston County in Plat Book "N" at page 39 with a poll to be designated by the Charleston County Election Commission; Precinct No. 2 shall consist of that area of St. Andrew's Parish not included in Precincts Nos. 1 and 3, with a poll at or near the St. Andrew's High School; and Precinct No. 3 shall consist of that area of the parish lying south of U. S. Highway 17 and outside the corporate limits of the City of Charleston with a poll at or near the Oakland Elementary School.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R301, H1667)

No. 203

An Act To Change The Open Season On Male Wild Turkeys In Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Turkey season in Berkeley County.—Notwithstanding the provisions of Section 28-3371.1, Code of Laws of South Carolina, 1952, in Berkeley County male wild turkeys may be hunted from the day before Thanksgiving to January first, inclusive, and from March fifteenth to April fifteenth.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R308, S174)

No. 204

An Act To Authorize Coroners And Solicitors To Order Autopsies Or Post Mortem Examinations And To Repeal Act No. 140 Of 1955, Authorizing Solicitors To Order Autopsies Or Post Mortem Examinations When The Coroner Is Unavailable.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Coroners or Solicitors may order autopsies or post mortems.—The coroner of the county in which a body is found dead or the solicitor of the judicial circuit in which such county lies may order an autopsy or post mortem examination to be conducted to ascertain the cause of death.

SECTION 2. Repeal—Act 140 of 1955 repealed.—Act No. 140 of 1955, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R309, S333)

No. 205

An Act To Authorize Commissioners Of Public Works Of Incorporated Cities And Towns In Greenwood County To Borrow Money Upon Certain Conditions; To Provide For The Payment Thereof; To Ratify Any Borrowings Heretofore Made And To Repeal Act Bearing Ratification No. 212 Of 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County municipalities—boards of commissioners of public works—borrowing by.—Boards of Commissioners of Public Works of incorporated cities or towns in Greenwood County may borrow, on their negotiable notes or certificates of indebtedness to mature not more than five years after date of issue and to bear interest at not more than six per cent per annum, sums not exceeding the estimated net revenues from the combined operation of their water, electric or gas utility systems during the term of such indebtedness, and may secure the payment of such

notes or certificates by pledge of unpledged net revenues for such period, or by other sources of anticipated income during such period.

SECTION 2. Prior loans validated.—All borrowings heretofore made by such boards of commissioners are hereby ratified and validated.

SECTION 3. Repeal—Act 138 of 1961 repealed.—Act bearing Ratification No. 212 of 1961 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R310, S59)

No. 206

An Act To Amend Act No. 541 Of 1954, Relating To The Regulation Of Economic Poisons, So As To Define Plant Regulators, Defoliants And Desiccants; To Further Define The Terms "Economic Poison", "Active Ingredient" And "Misbranded"; To Increase The Fee For Registering Economic Poisons With The South Carolina State Crop Pest Commission And To Provide That Such Increase Shall Be Retroactive To January 1, 1961; To Provide For Annual License Fees For Manufacturers Of Agricultural Chemicals; And To Provide That If Any Provision Of The Act Is Declared Unconstitutional Such Declaration Shall Not Affect The Remaining Provisions Of The Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 541 of 1954 amended—definitions.—Section 2 of Act No. 541 of 1954 is amended by amending Item (a) to read as follows:

“(a) The term ‘economic poison’ means (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, bacteria, weeds, shrubs, or other forms of plant or animal life or viruses (except viruses on or in living man or other animals) which the South Carolina State Crop Pest Commission shall declare to be a pest, except household disinfectants which are subject to existing law,

and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.”, by amending Item (1) to read as follows:

“(1) The term ‘active ingredient’ means—

(1) in the case of an economic poison other than a plant regulator, defoliant, or desiccant, an ingredient which will prevent, destroy, repel, or mitigate insects, nematodes, fungi, rodents, weeds, or other pests;

(2) in the case of a plant regulator, an ingredient which, through physiological action, will accelerate or retard the rate of growth or rate of maturation or otherwise alter the behavior of ornamental or crop plants or the produce thereof;

(3) in the case of a defoliant, an ingredient which will cause the leaves or foliage to drop from a plant;

(4) in the case of a desiccant, an ingredient which will artificially accelerate the drying of plant tissue.”, by amending Item (u) to read as follows:

“(u) The term ‘misbranded’ shall apply—

(1) to any economic poison or device if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) to any economic poison—

(A) if it is an imitation of or is offered for sale under the name of another economic poison;

(B) if its labeling bears any reference to registration under this act;

(C) if the labeling accompanying it does not contain instructions for use which are necessary and, if complied with, adequate for the protection of the public;

(D) if the label does not contain a warning or caution statement which may be necessary and, if complied with, adequate to prevent injury to living man and other vertebrate animals;

(E) if the label does not bear an ingredient statement or guaranteed analysis statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement or guaranteed analysis statement on the immediate container cannot be clearly read, or the retail pack-

age which is presented or displayed under customary conditions of purchase;

(F) if any word, statement, or other information required by or under the authority of this act to appear on the labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; or

(G) if in the case of an insecticide, nematocide, fungicide, or herbicide, when used as directed or in accordance with commonly recognized practice, it shall be injurious to living man or other vertebrate animals or vegetation, except weeds, to which it is applied, or to the person applying such economic poison; or

(H) if in the case of a plant regulator, defoliant, or desiccant when used as directed it shall be injurious to living man or other vertebrate animals, or vegetation to which it is applied, or to the person applying such economic poison; *provided*, that physical or physiological effects on plants or parts thereof shall not be deemed to be injury, when this is the purpose for which the plant regulator, defoliant, or desiccant was applied, in accordance with the label claims and recommendations.”, by adding the following after Item (g) :

“(h) The term ‘plant regulator’ means any substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior of ornamental or crop plants or the produce thereof, but shall not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

(i) The term ‘defoliant’ means any substance or mixture of substances intended for causing the leaves or foliage to drop from a plant, with or without causing abscission.

(j) The term ‘desiccant’ means any substance or mixture of substances intended for artificially accelerating the drying of plant tissue.” and by redesignating all items to conform, so that when amended Section 2 shall read as follows:

"Section 2. For the purpose of this act—

(a) The term 'economic poison' means (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, bacteria, weeds, shrubs or other forms of plant or animal life or viruses (except viruses on or in living man or other animals) which the South Carolina State Crop Pest Commission shall declare to be a pest, except household disinfectants which are subject to existing law, and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

(b) The term 'device' means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating insects, nematodes, or rodents or destroying, repelling, or mitigating fungi, bacteria, weeds, shrubs, or such other pests as may be designated by the South Carolina State Crop Pest Commission; but not including simple, mechanical devices such as rat traps.

(c) The term 'insecticide' means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects which may be present in any environment whatsoever.

(d) The term 'fungicide' means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any fungus, or pathogen, or agency that may cause plant disease.

(e) The term 'nematocide' means any substance intended for preventing, destroying, repelling, or mitigating nematodes, other worms, or any other invertebrates which are destructive, constitute a liability, and may be classified as pests.

(f) The term 'rodenticide' means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating rodents or any other vertebrate animal which the South Carolina State Crop Pest Commission shall declare to be a pest.

(g) The term 'herbicide' means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any weed or shrub.

(h) The term 'plant regulator' means any substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior of ornamental or crop plants or the produce thereof, but shall not include substances to the extent that they

are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

(i) The term 'defoliant' means any substance or mixture of substances intended for causing the leaves or foliage to drop from a plant, with or without causing abscission.

(j) The term 'desiccant' means any substance or mixture of substances intended for artificially accelerating the drying of plant tissue.

(k) The term 'insect' means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class Insecta, comprising six-legged, usually winged forms, as, for example, beetles, bugs, bees, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as, for example, spiders, mites, ticks, centipedes, and wood lice.

(l) The term 'fungi' means all non-chlorophyll-bearing thallophytes (that is, all non-chlorophyll-bearing plants of a lower order than mosses and liverworts) as, for example, rusts, smuts, mildews, molds, yeasts, bacteria, and viruses, except those on or in living man or other animals.

(m) The term 'weed' means any plant which grows where not wanted.

(n) The term 'ingredient statement' or 'guaranteed analysis statement' (1) means a statement of the name and percentage by weight of each active ingredient, together with the total percentage by weight of the inert ingredients, in the economic poison; or (2) a statement of the name of each active ingredient, together with the name of each and total percentage of the inert ingredients, if any there be, in the economic poison (except Option 1 shall apply if the preparation is highly toxic to man, determined as provided in Section 5 (2) of this act); and in addition, in case the economic poison contains arsenic in any form, a statement of the percentages of total and water soluble arsenic, each stated as elemental (metallic) arsenic.

(o) The term 'active ingredient' means—

(1) in the case of an economic poison other than a plant regulator, defoliant, or desiccant, an ingredient which will prevent, destroy, repel, or mitigate insects, nematodes, fungi, rodents, weeds or other pests;

(2) in the case of a plant regulator, an ingredient which, through physiological action, will accelerate or retard the rate of growth or rate of maturation or otherwise alter the behavior of ornamental or crop plants or the produce thereof;

(3) in the case of a defoliant, an ingredient which will cause the leaves or foliage to drop from a plant;

(4) in the case of a desiccant, an ingredient which will artificially accelerate the drying of plant tissue.

(p) The term 'inert ingredient' means an ingredient which is not an active ingredient.

(q) The term 'antidote' means the most practical immediate treatment in case of poisoning and includes first aid treatment.

(r) The term 'person' means any individual, partnership, association, corporation, an organized group of persons whether incorporated or not.

(s) The term 'South Carolina State Crop Pest Commission' means those members of the Board of Trustees of Clemson College who are authorized by the Legislature to constitute the State Crop Pest Commission.

(t) The term 'registrant' means the person registering any economic poison pursuant to the provisions of this act.

(u) The term 'label' means the written, printed, or graphic matter on, or attached to, the economic poison or device, or the immediate container thereof, and the outside container or wrapper of the retail package, if any there be, of the economic poison or devices.

(v) The term 'labeling' means all labels and other written, printed, or graphic matter—

(1) upon the economic poison or device or any of its containers or wrappers;

(2) accompanying the economic poison or device at any time;

(3) to which reference is made on the label or in literature accompanying the economic poison or device, except when accurate, nonmisleading reference is made to current official publications of the State Experiment Station, the Clemson Agricultural College, the South Carolina State Crop Pest Commission, or similar official agencies of this State or other states when such agencies are authorized by law to conduct research in the field of economic poisons.

(w) The term 'adulterated' shall apply to any economic poison if its strength or purity falls below the professed standard or quality as expressed on its labeling or under which it is sold, or if any substance has been substituted wholly or in part for the article, or if any valuable constituent of the article has been wholly, or in part, abstracted.

(x) The term 'misbranded' shall apply—

(1) to any economic poison or device if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) to any economic poison—

(A) if it is an imitation of or is offered for sale under the name of another economic poison;

(B) if its labeling bears any reference to registration under this act;

(C) if the labeling accompanying it does not contain instructions for use which are necessary and, if complied with, adequate for the protection of the public;

(D) if the label does not contain a warning or caution statement which may be necessary and, if complied with, adequate to prevent injury to living man and other vertebrate animals;

(E) if the label does not bear an ingredient statement or guaranteed analysis statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement or guaranteed analysis statement on the immediate container cannot be clearly read, of the retail package which is presented or displayed under customary conditions of purchase;

(F) if any word, statement, or other information required by or under the authority of this act to appear on the labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; or

(G) if in the case of an insecticide, nematocide, fungicide, or herbicide, when used as directed or in accordance with commonly recognized practice, it shall be injurious to living man or other vertebrate animals or vegetation, except weeds, to which it is applied, or to the person applying such economic poison; or

(H) if in the case of a plant regulator, defoliant, or desiccant when used as directed it shall be injurious to living man or other vertebrate animals, or vegetation to which it is applied, or to the person applying such economic poison; *provided*, that physical or physiological effects on plants or parts thereof shall not be deemed to be injury, when this is the purpose for which the plant regulator, defoliant, or desiccant was applied, in accordance with the label claims and recommendations.”

SECTION 2. Item (c), Section 4 of Act 541 of 1954 amended—registration of economic poisons—inspection fee.—Item (c) of Section 4 of Act No. 541 of 1954 is amended by striking it out and inserting in lieu thereof the following:

“(c) The registrant, before selling or offering for sale any economic poison in this State, shall register each brand or grade of such economic poison with the South Carolina State Crop Pest Commission, Clemson, South Carolina, by filing with the South Carolina State Crop Pest Commission a copy of the label of each brand or grade of such economic poison. For the purposes of defraying expenses connected with the enforcement of this act, the registrant shall pay to the South Carolina State Crop Pest Commission an annual inspection fee of twenty dollars for the first ten brands and grades to be offered for sale in this State; and ten dollars for the next twenty brands and grades. The South Carolina State Crop Pest Commission shall transmit funds so collected to the State Treasurer who shall deposit same in the general funds of the State; *provided*, however, that any registrant may register annually any number of brands, without paying a fee, after the payment of annual fees aggregating four hundred dollars, whereupon there shall be issued to the registrant by the South Carolina State Crop Pest Commission a certificate entitling the registrant to sell all duly registered brands in this State until the expiration of the certificate. All certificates shall expire on December thirty-first of each year unless otherwise terminated, and are subject to renewal upon receipt of annual inspection fees.”

SECTION 3. Act 541 of 1954 amended—Section 4.1 added—agricultural chemical manufacturers to be licensed—fee.—Act No. 541 of 1954 is amended by adding new Section 4.1 which shall read as follows:

“Section 4.1. It shall be unlawful for any agricultural chemical manufacturer to do business in this State until he has made application for and received a license from the State Crop Pest Commission. The license fee for agricultural chemical manufacturers shall be fifty dollars per annum.”

SECTION 4. Section 14 of Act 541 of 1954 amended—saving clause.—Section 14 of Act No. 541 of 1954 is amended by striking it out and inserting in lieu thereof the following:

“Section 14. If any provision of this act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this act and the applicability thereof to other persons and circumstances shall not be affected thereby.”

SECTION 5. When additional inspection fee to become effective—annual license.—The increase of the annual inspection fee paid by registrants to the South Carolina State Crop Pest Commission as provided in Item (c) of Section 4 of Act No. 541 of 1954, as amended by this act, shall be retroactive to January 1, 1961, and shall be paid to the South Carolina State Crop Pest Commission within thirty days after the effective date of this act. The annual licenses provided for in Section 3 of this act shall be issued for the calendar year 1961 and applications for the licenses provided for in Section 3 shall be made within thirty days after the effective date of this act. The fees for such licenses shall accompany the applications.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R311, H1273)

No. 207

AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1961; TO REGULATE THE EXPENDITURE OF FUNDS THEREFOR; FOR BORROWING MONEY; FURTHER RELATING TO THE OPERATION OF THE STATE GOVERNMENT DURING THE FISCAL YEAR 1961-62; AND TO ENACT AS PERMANENT LAWS OF THE STATE OF SOUTH CAROLINA MEASURES TO AUTHORIZE THE STATE HIGHWAY DEPARTMENT TO OWN AND MAINTAIN ROADSIDE PARKS ADJACENT TO STATE HIGHWAYS, SUBJECT TO CERTAIN CONDITIONS; TO AMEND SECTION 61-256, CODE OF LAWS OF 1952, AS AMENDED, RELATING TO THE RETIREMENT OF SUPREME COURT JUSTICES, CIRCUIT JUDGES, AND FINANCIAL PROVISION FOR ANY WIDOWS OF SUCH OFFICIALS; TO FIX THE APPORTIONMENT OF REPRESENTATIVES OF THE GENERAL ASSEMBLY; TO ADOPT THE UNITED STATES CENSUS OF 1960 AS A TRUE AND CORRECT ENUMERATION OF THE INHABITANTS OF THE SEVERAL COUNTIES, MUNICIPALITIES, AND OTHER GOVERNMENTAL SUBDIVISIONS OF THE STATE OF SOUTH CAROLINA; TO PROVIDE FOR THE ISSUANCE OF \$1,000,000.00 IN GENERAL OBLIGATION BONDS BY THE STATE PORTS AUTHORITY FOR THE ERECTION OF GRAIN FACILITIES; TO PROVIDE A NEW METHOD FOR THE DISTRIBUTION OF REVENUES COLLECTED BY THE STATE TO THE COUNTIES AND MUNICIPALITIES OF THE STATE; TO AMEND SECTION 61-211 AND SECTION 61-212 OF THE 1952 CODE OF LAWS, AS AMENDED, RELATING TO THE RETIREMENT OF CERTAIN TEACHERS AND STATE EMPLOYEES; AND TO AMEND SECTION 2, OF PART III, OF ACT NO. 644 OF THE ACTS OF 1954, RELATING TO THE ESTABLISHMENT AND USE OF THE GENERAL FUND RESERVE.

Be it enacted by the General Assembly of the State of South Carolina :

PART I**Maintenance and Operation of State Government****SECTION 1**

For the fiscal year 1961-62, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer as collected, when practicable,

but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, however,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth in this Act, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operating expenses of the State Government applicable to the fiscal year 1961-62, and for such other purposes as may be hereinafter specifically designated.

SECTION 3

Legislative Department

Item 1. The Senate:

A. Personal Service:

A-1. Salaries:

President	\$ 1,500.00
President Pro Tempore	400.00
Secretary (Between Sessions) ..	2,340.00
Senators	82,800.00
Mileage and Stationery	7,000.00
Subsistence	18,800.00
Official Expense Allowance—	
President	800.00

Clerk	1,800.00
Assistant Clerk	950.00
General Desk Clerks	1,600.00
Bill Clerks	1,200.00
Journal Clerk	725.00
Journal Clerk	600.00
Sergeant-at-Arms	750.00
Committee Sergeant	650.00
Reading Clerk	900.00
Stenographers, Finance Committee (2 @ \$725.00 each)	1,450.00
Keeper, Finance Committee Room	200.00
Steno-Clerk, Judiciary Committee	725.00
Steno-Clerk, Social Security and Education Committees	725.00
Secretary to President	750.00
General Committee Clerks (3 @ \$425.00 each)	1,275.00
General Committee Stenographer	725.00
General Committee Stenographer	725.00
General Committee Stenographer	725.00
Doorkeepers (3 @ \$400.00 each)	1,200.00
Pages (3 @ \$350.00 each)	1,050.00
Chaplain	350.00
Laborers (3 @ \$6.00 per day)	1,260.00
Amendment Clerks	1,000.00
Assistant Amendment Clerks (4 @ \$200.00 each)	800.00
Attendants (12 @ \$200.00 each)	2,400.00
Elevator Operators (4)	1,000.00
Approved Accounts	70,000.00

Total (Item 1) The Senate

\$ 209,175.00

Item 2. House of Representatives:

A. Personal Service:

A-1. *Salaries:*

The Speaker	\$ 1,500.00
Official Expense Allowance—	
Speaker	800.00
Speaker Pro Tempore	400.00
Representatives	223,200.00
Mileage and Stationery	19,500.00
Subsistence	49,600.00
Clerk	1,800.00
Assistant Clerk	950.00
Journal Clerk	725.00
Bill Clerk	725.00
Reading Clerk	900.00
Bill Clerk and General Commit-	
tee Clerk	600.00
Steno-Clerk, Ways and Means	
Committee	725.00
Steno-Clerk, Judiciary Commit-	
tee	725.00
General Committee Clerks (2) .	1,450.00
General Desk Clerks (2)	1,525.00
General Clerk and/or Stenog-	
rapher	725.00
General Committee Stenog-	
raphers (2)	1,450.00
Sergeant-at-Arms	750.00
Asst. Sergeant-at-Arms	750.00
Secretary to Speaker	750.00
Amendment Clerks (2)	1,450.00
Stenographer	725.00
Chaplain	350.00
Chief Page	450.00
Assistant Chief Page	400.00
Pages (12)	4,200.00
Doorkeepers (3)	1,200.00
Laborers (4 @ \$6.00 per day)	1,200.00
Committee Sergeant	650.00
Elevator Operators (4)	1,000.00

Approved Accounts	70,000.00	
<hr/>		
Total (Item 2) House of Representatives		\$ 391,175.00
Item 3. Special Services for Both Houses:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Clerk on Enrollment of Acts .. \$	700.00	
Assistant Clerk on Enrollment of Acts	700.00	
Postmaster	600.00	
Assistant Postmaster	600.00	
Telephone Pages (2)	700.00	
Telephone Operators (2) (In full for Session)	700.00	
Laborers (3 @ \$6.00 per day)	1,080.00	
Maid	300.00	
Approved Accounts	10,000.00	
<hr/>		
Total (Item 3) Special Services for Both Houses		\$ 15,380.00
Item 4. Codification of Laws and Legislative Council:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Code Commissioner and Director of Legislative Council	11,000.00	
Asst. Code Commissioner and Asst. Director of Legislative Council	8,500.00	
Attorney	7,500.00	
Attorney	7,500.00	
A-2. Wages:		
Porter	650.00	
A-3. Special Payments:		
Per Diem and Travel of Committee on Statutory Laws:	1,200.00	
Lawyers	4,600.00	
Stenographers	7,975.00	
Clerk	725.00	

Clerical Help	2,000.00	
Pages	450.00	
Approved Accounts	25,000.00	
B. Contractual Services:		
B-7. Other Contractual Services:		
For Printing Code Supplement	28,000.00	
Installments for Printing of 1962		
Code of Laws	53,261.00	
Assistance in Proofreading and		
checking Code of 1962 ..	4,000.00	
<hr/>		
Total (Item 4) Codification of Laws		
and Legislative Council ..		\$ 162,361.00
Item 5. Clerk's Office (The Senate):		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Clerk	\$ 4,333.00	
Secretary	2,646.00	
Bookkeeper	2,095.00	
A-2. Wages:		
Porter	509.00	
B. Contractual Services:		
B-3. Telegraph and Telephone ..	100.00	
C. Supplies:		
C-4. Office Supplies	150.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	12.00	
<hr/>		
Total (Item 5) Clerk's Office (The		
Senate)		\$ 9,845.00
Item 6. Clerk's Office (House of Rep-		
resentatives):		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Clerk	\$ 4,333.00	
Clerical Help	3,996.00	
Secretary	2,646.00	
A-2. Wages:		
Messenger-Porter	781.00	
B. Contractual Services:		
B-3. Telegraph and Telephone ..	100.00	

C. Supplies:

C-4. Office Supplies	125.00
--------------------------------	--------

D. Fixed Charges and Contributions:

D-1. Post Office Box Rent	18.00
-------------------------------------	-------

Total (Item 6) Clerk's Office (House of Representatives)	
---	--

	\$ 11,999.00
--	--------------

TOTAL (Legislative Department) . .	
------------------------------------	--

	\$ 799,935.00
--	---------------

Provided, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, same to be paid from approved accounts; *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the clerk of each House. *Provided, Further*, That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the presiding officer and/or Clerk of the respective branches of the General Assembly. *Provided, Further*, That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further*, That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further*, That in the Senate, the Assistant Clerk, the General Desk Clerk, the Bill Clerk, the Journal Clerk, the General Committee Clerks, the Committee Sergeant, the Amendment Clerk, the Assistant Amendment Clerks, and the Attendants shall be appointed by the Clerk of the Senate. *Provided, Further*, That the Clerk of the Senate may employ two additional clerks for his office between sessions at a salary of \$162.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further*, That all employees of the General Assembly, with the exceptions of the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session, except

that the Clerk of the House and the Clerk of the Senate shall be paid for five days thereof.

Provided, Further, That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

Provided, Further, That the Assistant Sergeant-at-Arms of the House, and the Committee Sergeants of each House may be paid for two (2) weeks before and two (2) weeks after the said session; the same to be paid from Approved Accounts of the respective Houses. *Provided, Further,* That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical or other services. *Provided, Further,* That necessary temporary clerical help for the Chairman of the Senate Finance and House Ways and Means Committees may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen. *Provided, Further,* That the Sergeants-at-Arms and Assistant Sergeants-at-Arms of the Senate and the House are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1961 and 1962 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer, *Provided,* That the Sergeant-at-Arms of the Senate shall keep the Hall of the Senate open to visitors every day between sessions, and he shall be paid his per diem for such services. *Provided, Further,* That the Sergeant-at-Arms of the House shall keep the Hall of the House open to visitors every day between sessions, and he shall remain on duty each day during the week from 9:00 A. M. to 5:00 P. M., except that on Saturdays he shall remain on duty from 9:00 A. M. to 1:00 P. M., for which he shall be paid his regular per diem compensation. All such services rendered by the Sergeant-at-Arms shall be under the direction of the Presiding Officer of the House. *Provided, Further,* That members of Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby

increased to include the presiding officers of the two Houses, and the committee is authorized to continue such work.

Provided, That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

Provided, Further, That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribution of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

Provided, Further, That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

SECTION 4

Judicial Department

Item 1. Supreme Court:

A. Personal Service:

A-1. Salaries:

Chief and Associate Justices ..\$	91,000.00
Clerk	5,500.00
Reporter	3,031.00
Librarian	3,850.00
Secretary	4,240.00
Stenographers (2)	6,646.00
Stenographers—Chief and Associate Justices	19,080.00
Attendant	1,863.00
Retired Justices	13,500.00
Widows of Justices	3,000.00

A-2. Wages:		
Messenger	220.00	
A-3. Special Payments:		
Extra Steno Services	200.00	
B. Contractual Services:		
B-2. Travel	6,000.00	
B-3. Telegraph and Telephone ..	2,000.00	
B-4. Repairs	500.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents—Clock and Post Office		
Box	39.00	
Offices Chief and Associate		
Justices	3,000.00	
G. Equipment:		
G-1. Office Equipment	2,000.00	
G-7. Educational Equipment:		
Library:		
Books	6,000.00	
South Carolina Reports	3,862.00	
<hr/>		
Total (Item 1) Supreme Court		\$ 179,531.00
Item 2. Circuit Courts:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Circuit Judges (14)	\$ 217,000.00	
Retired Judges	36,000.00	
Widows of Judges	12,000.00	
Circuit Stenographers (14) ...	97,944.00	
Circuit Judges—For secretarial		
help, library, automobile de-		
preciation, and official office		
expenses; to be paid in		
equal monthly installments		
to each circuit judge	42,000.00	
A-3. Special Payments:		
Special Circuit Judges	1,000.00	

B. Contractual Services:	
B-2. Travel	30,000.00
Official Expense (Circuit Stenographers 14)	4,200.00
	<hr/>
Total (Item 2) Circuit Courts	\$ 440,144.00
Item 3. Board of Law Examiners:	
A. Personal Service:	
A-3. Special Payments (3 mem- bers)	\$ 2,400.00
Item 4. Board of Commissioners on Grievances and Discipline.	
	\$ 5,000.00
	<hr/>
TOTAL (Judicial Department)	\$ 627,075.00

Provided, That the salaries provided herein for Circuit Stenographers shall be in full for all services to the Circuit Courts, except where specific appropriations are made by any of the counties in the respective circuits to supplement these salaries, and except for income derived by the said Circuit Stenographers from transcripts.

SECTION 5

Governor's Office

Item 1. Executive Control of State:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Governor	\$ 15,000.00
Executive Secretary	9,550.00
Press Secretary	9,550.00
Industrial Secretary	13,250.00
Legal Assistant	9,550.00
Stenographers	23,274.00
A-2. Wages—Messenger-Porter .	2,682.50
A-3. Special Payments—E x t r a Clerical	4,705.00
B. Contractual Services:	
B-2. Travel and Promotional Ex- pense	16,000.00
B-3. Telegraph and Telephone ..	10,000.00
B-4. Repairs	350.00

C. Supplies :		
C-4. Office Supplies	8,000.00	
D. Fixed Charges and Contributions :		
D-1. Rents	30.00	
D-3. Association Dues	100.00	
G. Equipment :		
G-1. Office Equipment	1,000.00	
		<hr/>
Total (Item 1) Executive Control of State		\$ 123,041.50
Item 2. Mansion and Grounds :		
A. Personal Service :		
A-2. Wages	\$ 17,000.00	
B. Contractual Services :		
B-3. Telegraph and Telephone ..	3,000.00	
B-4. Repairs	2,000.00	
B-6. Water, Heat, Light and Power	3,000.00	
C. Supplies	15,000.00	
C-9. Agricultural Supplies	400.00	
D. Fixed Charges and Contributions :		
D-2. Insurance	250.00	
G. Equipment :		
G-3. Household Equipment	5,000.00	
G-5. Agricultural Equipment ...	100.00	
		<hr/>
Total (Item 2) Mansion and Grounds		\$ 45,750.00
Item 3. Law Enforcement :		
A. Personal Service :		
A-1. <i>Salaries</i> :		
Chief	\$ 8,980.00	
Governor's Officers	266,146.00	
Operating Expense	218,408.00	
		<hr/>
Total (Item 3) Law Enforcement..		\$ 493,534.00
Intra-State Teletype Network..		\$ 41,000.00
Item 4. Identification Bureau :		
Maintenance of Bureau		\$ 10,000.00
		<hr/>
TOTAL (Governor's Office)		\$ 713,325.50

Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.

Provided, Further, That the sum of \$14,100.00 included in the amount provided for Operating Expense in Item 3 of this section is provided for the specific purpose of purchasing clothing for the law enforcement officers.

SECTION 6

Lieutenant Governor's Office

For Administration:

A. Personal Service:

A-1. Salaries:

Lieutenant Governor	\$	1,000.00
---------------------------	----	----------

B. Contractual Services:

B-2. Travel		1,600.00
-------------------	--	----------

TOTAL (Lieutenant Governor's Office)	\$	2,600.00
---	----	----------

SECTION 7

Secretary of State

Item 1. Keeping State Records:

A. Personal Service:

A-1. Salaries:

Secretary of State	\$	11,000.00
--------------------------	----	-----------

Deputy Secretary of State		7,500.00
--------------------------------	--	----------

Corporation Clerk		5,064.00
-------------------------	--	----------

Secretary		3,714.00
-----------------	--	----------

Clerk-Stenographer		3,714.00
--------------------------	--	----------

A-2. Wages:

Porter		523.00
--------------	--	--------

A-3. Special Payments:

Clerical Help		200.00
---------------------	--	--------

B. Contractual Services:

B-2. Travel		1,500.00
-------------------	--	----------

B-3. Telegraph and Telephone ..		500.00
---------------------------------	--	--------

B-4. Repairs		150.00
--------------------	--	--------

C. Supplies:

C-4. Office Supplies		2,600.00
----------------------------	--	----------

D. Fixed Charges and Contributions:	
D-2. Premiums on Bonds	325.20
D-3. Association Dues	100.00
G. Equipment:	
G-1. Office Equipment	300.00
<hr/>	
Total (Item 1)	\$ 37,190.20
Item 2. Administration of Securities Act	\$ 26,100.00
<hr/>	
TOTAL (Secretary of State)	\$ 63,290.20

SECTION 8

Comptroller General's Office

Item 1. Executive Control of Accounts:	
A. Personal Service:	
A-1. Salaries:	
Comptroller General	\$ 11,000.00
Deputy Comptroller	8,500.00
Accountants	11,700.00
Auditors	20,050.00
Bookkeepers	22,725.00
Clerks	32,125.00
A-2. Wages	1,014.00
A-3. Special Payments:	
Clerical Help	4,500.00
B. Contractual Services:	
B-2. Travel	1,300.00
B-3. Telegraph and Telephone ..	1,600.00
B-4. Repairs	1,800.00
C. Supplies:	
C-4. Office Supplies	7,500.00
D. Fixed Charges and Contributions:	
D-1. Rents	39.00
D-2. Insurance	250.00
D-3. Contributions	50.00
G. Equipment:	
G-1. Office Equipment	2,000.00
<hr/>	
Total (Item 1) Executive Control of Accounts	\$ 126,153.00

Item 2. Counties:**A. Personal Service:****A-1. Salaries:**

County Auditors	\$ 160,908.00
County Treasurers	160,908.00

B. Contractual Services:

B-5. Printing and Advertising ..	62,000.00
Settlements with Counties	6,000.00

Total (Item 2) Counties	\$ 389,816.00
-------------------------------	---------------

Item 3. Elections:**A. Personal Service:****A-1. Salaries:**

Supervisors of Registration ...	\$ 69,000.00
---------------------------------	--------------

B. Contractual Services:

B-7. Election Expenses	25,000.00
------------------------------	-----------

Total (Item 3) Elections	\$ 94,000.00
--------------------------------	--------------

Item 4. Confederate Pensions:**A. Personal Service:****A-3. Special Payments:**

Per Diem of Board	\$ 100.00
-------------------------	-----------

D. Fixed Charges and Contributions:**D-3. Contributions:**

Confederate Pensions	26,000.00
----------------------------	-----------

Total (Item 4) Confederate Pensions	\$ 26,100.00
-------------------------------------	--------------

TOTAL (Comptroller General's Office)	\$ 636,069.00
--------------------------------------	---------------

Provided, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred (\$200.00) Dollars each per year. *Provided, Further*, That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expenses shall not exceed the sum of Three Hundred (\$300.00) Dollars. *Provided, Further*, That for the year 1960-61 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

Provided, Further, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead, warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided,* That this provision shall in no way relieve the Comptroller General of responsibility.

Provided, That for the fiscal year 1961-62 the state shall pay on the salaries of County Auditors and Treasurers \$3,498.00 each.

Provided, Further, That for the fiscal year 1961-62 Commissioners of General Elections shall receive as expenses the sum of \$150.00 per year, payable quarterly, and Managers and Clerks shall receive a per diem of \$6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than 3 days for any election.

SECTION 9

Attorney General

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Attorney General	\$ 11,000.00
First Assistant Attorney General	10,800.00
Assistant Attorney General ...	10,100.00
Assistant Attorneys General (7)	58,250.00
Assistant Attorney General ...	9,200.00
Assistant Attorney General ...	9,200.00
Circuit Solicitors (14)	126,000.00
Assistant Attorney General ...	6,500.00
Secretary—Law Clerk	5,958.00
Secretary	4,200.00
Secretary	3,800.00
Secretary	3,120.00
Extra Stenographic Help	6,000.00
General Counsel—Public Service Commission	6,440.00

A-2. Wages:

Porter	150.00
--------------	--------

B. Contractual Services:	
B-2. Travel	2,500.00
Expense Allowance (Solicitors)	8,400.00
B-3. Telegraph and Telephone	3,500.00
B-4. Repairs	250.00
C. Supplies:	
C-4. Office Supplies	800.00
D. Fixed Charges and Contributions:	
D-1. Post Office Box Rent	24.00
D-2. Insurance (Official Bonds)	125.00
D-3. Contributions	150.00
G. Equipment:	
G-1. Office Equipment	1,500.00
<hr/>	
Total (Item 1) For Administration	\$ 287,967.00
Item 2. For State Litigation:	
A. Personal Service:	
A-3. Special Payments	\$ 5,000.00
B. Contractual Services:	
B-2. Travel	12,000.00
B-5. Printing and Advertising	2,000.00
C. Supplies:	
C-4. Office Supplies	5,500.00
<hr/>	
Total (Item 2) For State Litigation	\$ 24,500.00
<hr/>	
TOTAL (Attorney General)	\$ 312,467.00

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions.

Provided, Further, That, unless otherwise provided herein, no department or agency of the State government shall employ attorneys except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five (\$25.00) Dollars.

Provided, Further, That the Attorney General shall assign one of his Assistants as Counsel for the South Carolina Tax Commission, who shall perform all of the duties necessary in that Department,

but shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall assign one of his assistants to the South Carolina Industrial Commission to perform all necessary legal duties in that department, but he shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall designate one of his assistants whose primary duties shall be to perform all necessary legal work for the Insurance Department, and any additional duties that may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall appoint a general Counsel for the South Carolina Public Service Commission, who shall be an Assistant Attorney General, and who shall perform the legal duties of that Department, and any other duties to which he may be assigned by the Attorney General; *Provided, Further,* That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient amount to cover the compensation and expenses of Attorneys assigned by the Attorney General to the Public Service Commission.

Provided, Further, That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

SECTION 10

State Treasurer's Office

Item 1. Receiving and Disbursing Funds:

A. Personal Service:

A-1. Salaries:

Treasurer	\$ 11,000.00
Assistant Treasurer	8,000.00
Deputy	5,700.00
Chief—Bond Section	6,000.00
Bond Clerk	5,000.00
Auditor	5,200.00
Corporation Clerk	4,800.00
Securities Clerk	4,800.00
Disbursing Clerk	3,850.00
Bookkeepers (3)	16,400.00
Senior Clerk	3,950.00

A-2. Wages:		
Porter	514.00	
A-3. Special Payments:		
Extra Clerical Help	1,300.00	
B. Contractual Services:		
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone..	800.00	
B-4. Repairs	1,200.00	
B-5. Printing and Advertising..	750.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	90.00	
D-2. Insurance	4,020.00	
D-3. Contributions (Association Dues)	55.00	
D-4. Service Charges	500.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
<hr/>		
Total (Item 1) Receiving and Dis-		
bursing Funds		\$ 90,429.00
Item 2. Payment of Bonded Debt:		
D. Fixed Charges and Contributions:		
D-4. Payment of Bonded Debt:		
Interest on Agricultural College Stock:		
July 1, 1961	\$ 5,754.00	
January 1, 1962	5,754.00	
Interest on Clemson Perpetual Stock:		
July 1, 1961	1,756.18	
January 1, 1962	1,756.18	
Principal and Interest Payment on Whitten Village and John G. Richards Ind. Sch.		
Notes:		
October 15, 1961 Principal ..	100,000.00	
October 15, 1961 Interest ..	7,500.00	
April 15, 1962 Interest	6,000.00	

**Principal and Interest Payments
on School for the Deaf and
the Blind and F. F. A.
Camp:**

October 15, 1961 Principal . .	95,000.00
October 15, 1961 Interest . .	5,700.00
April 15, 1962 Interest	3,800.00

**Principal and Interest Payments
on State Ports Bonds:**

September 1, 1961 Principal .	300,000.00
September 1, 1961 Interest . .	86,700.00
March 1, 1962 Interest	81,600.00

**Principal and Interest Payments
on State Ports Bonds:**

September 1, 1961 Interest . .	77,187.50
March 1, 1962 Interest	77,187.50
March 1, 1962 Principal . . .	250,000.00

**Principal and Interest Payments
on State Ports Bonds:**

December 1, 1961 Interest . .	108,375.00
June 1, 1962 Principal	500,000.00
June 1, 1962 Interest	108,375.00

**Principal and Interest Payments
on Stadium Notes:**

October 1, 1961 Principal . .	40,000.00
October 1, 1961 Interest . . .	9,600.00
April 1, 1962 Interest	8,800.00

**Principal and Interest Payments
on Stadium Notes:**

August 1, 1961 Interest	7,500.00
August 1, 1961 Principal . . .	20,000.00
February 1, 1962 Interest . .	7,000.00

**Institutional and Armory Bonds
(1958):**

August 1, 1961 Interest	29,750.00
February 1, 1962 Interest . .	29,750.00
February 1, 1962 Principal .	212,500.00

**Principal and Interest Payments
on Archives Building Note:**

July 1, 1961 Principal	20,000.00
----------------------------------	-----------

July 1, 1961 Interest	4,050.00
January 1, 1962 Interest ...	3,600.00
<hr/>	
Total (Item 2) Payment of Bonded Debt	\$ 2,214,995.36
<hr/>	
Total (State Treasurer's Office) ...	\$ 2,305,424.36

Provided, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1961 and June 30, 1962, shall be allocated to the Counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a sufficient amount to adjust same to the terms of this provision.

SECTION 11

Adjutant General's Office

Item 1. Administration:

A. Personal Service:

A-1. Salaries:

Adjutant General	\$ 11,000.00
Assistant Adjutant General ...	6,408.00
Secretary	4,774.00
Personnel Officer	5,528.00
Operations Officer	5,528.00
Clerk	3,466.00
Clerk	2,923.00
Stenographers	5,846.00
Steno-Clerks	8,226.00
Clerks	8,226.00
Armorer	3,013.00

A-2. Wages 10,062.28

A-3. Special Payments 2,000.00

B. Contractual Services:

B-2. Travel 3,000.00

B-3. Telegraph and Telephone 3,500.00

B-4. Repairs	20,000.00	
B-6. Water, Heat, Light and Power	3,960.00	
C. Supplies:		
C-2. Fuel Supplies	3,900.00	
C-4. Office Supplies	2,500.00	
C-8. Motor Vehicle Supplies	700.00	
C-12. Other Supplies	1,200.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	12,000.00	
D-3. Contributions (Assn. Dues)	1,225.00	
D-4. Other Fixed Charges (Co. Maintenance Fund)	65,000.00	
Officers Candidate School (Pal. Mil. Acad.)	9,000.00	
G. Equipment:		
G-1. Office Equipment	750.00	
G-8. Other Equipment	1,000.00	
Total (For Administration)		\$ 204,735.28
For Architectural and Minor Constructional Costs— Congaree Air Base		\$ 9,472.00
GRAND TOTAL (Adjutant General)		\$ 214,207.28

Provided, That in the event a National Guard unit is established in Berkeley County the construction of an armory shall be provided for in said county as soon as approval of such an armory can be obtained and funds provided therefor.

SECTION 12

University of South Carolina

For Maintenance	\$ 3,705,748.00	
Operation of Law Enforcement Training School	20,000.00	
Total (University of South Carolina)		\$ 3,725,748.00

SECTION 13

The Citadel

For Maintenance	\$ 1,660,535.00
For Debt Service on Stadium Bonds	11,975.00
<hr/>	
Total (The Citadel)	\$ 1,672,510.00

SECTION 14

Clemson College (Collegiate Activities)

For Maintenance	\$ 3,405,164.00
Teaching and Research in Water and Sewerage	10,000.00
<hr/>	
Total Clemson College (Collegiate Activities)	\$ 3,415,164.00

SECTION 15

Winthrop College

For Maintenance	\$ 1,519,373.00
-----------------------	-----------------

Provided, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

SECTION 16

State Medical College

Medical College Maintenance ..	\$ 1,153,528.00
For Cancer Clinics	125,000.00
Cardiac Clinic	25,000.00
Psychiatric Residency Training ..	10,000.00
Medical College Hospital	1,145,000.00
School of Nursing Building ...	63,841.00
<hr/>	

Total (State Medical College)	\$ 2,522,369.00
------------------------------------	-----------------

Provided, That out of the amount appropriated in this section the sum of \$8,000.00, or so much thereof as may be necessary, shall be used to cover the costs of scholarships provided in Act No. 800 of the Acts of 1948.

Provided, Further, That the appropriation provided in this Section for Psychiatric Residency Training shall be used by the authorities of the State Medical College to provide stipends in a career type program of psychiatric residency training at rates of \$5,000.00 for the first year, \$6,000.00 for the second year and \$7,000.00 for the third year for each such trainee. Any individual accepting such a residency shall legally obligate himself, or herself, to serve at least an equivalent amount of time, on completion of such training, in one of the State operated mental institutions, such as the South Carolina State Hospital and the various community mental health clinics.

Provided, Further, That any balance on June 30, 1961, in the 1960-61 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1961-62.

Provided, Further, That any balance on June 30, 1961 in the 1960-61 appropriation for psychiatric residency training may be carried forward and expended for the same purpose during the fiscal year 1961-62.

SECTION 17

S. C. State College

For Maintenance \$ 1,594,461.00

Provided, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

SECTION 18

John de la Howe School

For Maintenance \$ 245,472.00

Provided, That the teachers for John de la Howe School shall receive the same percentage of increase in salaries as is provided for the teachers in the public schools.

SECTION 19

School for the Deaf and the Blind

For Maintenance \$ 579,797.00

Provided, That the teachers for the School for the Deaf and the Blind shall receive the same percentage of increase in salaries as is provided for the teachers in the public school.

SECTION 20

Superintendent of Education's Office

Item 1. Superintendence:

A. Personal Service:

A-1. *Salaries*:

Superintendent of Education ..	\$ 11,000.00
Secretary	4,895.00
Editor of Professional Publications	5,005.00

A-3. Special Payments:

Per Diem of Board	1,000.00
-------------------------	----------

Total (Item 1) Superintendence \$ 21,900.00

Item 2. State Department of Education—General.

Division of Administration and Finance:

A. Personal Service:

Dept. of School Administration:

A-1. *Salaries*:

Director	\$ 6,800.00
Secretary	3,180.00

School Lunch Program:

Supervisor	6,000.00
Assistant Supervisor	5,250.00
Supervisor—Food Distribution	4,600.00
Steno-Bookkeeper	3,335.00
Clerks (3)	8,272.00
School Attendance Supervisor	5,200.00

Department of Finance:

A-1. *Salaries*:

Finance Officer	7,000.00
Assistant Finance Officer	4,300.00

GENERAL AND PERMANENT LAWS—1961

State Aid Accountant	5,200.00
Supervisor Statistical Reports .	5,200.00
Supervisor Tabulating Installation	4,600.00
Steno-Bookkeeper	3,500.00
Auditors	8,500.00
Punch Machine Operator	2,800.00
Punch Machine Operator	2,800.00
Machine Operator	3,500.00
A-2 Wages:	
Porter	1,007.00
A-3. Special Payments:	
Accountants—Part Time	8,000.00
B. Contractual Services:	
B-1. Freight, Express and Delivery	25.00
B-2. Travel	30,000.00
B-3. Telephone and Telegraph ..	4,500.00
B-4. Repairs	800.00
B-5. Printing:	
Printing—Educational Bulletins	7,200.00
Printing—Alcohol Education .	200.00
C. Supplies:	
C-4. Office Supplies	14,000.00
C-7. Educational Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents	12,000.00
D-2. Insurance—Bond Premiums	25.00
D-3. Contributions (Association Dues)	950.00
G. Equipment:	
G-1. Office Equipment	1,500.00
Division of Teacher Education and Certification:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	6,800.00
Secretary	3,710.00
Supervisors (2)	10,510.00
Steno-Clerk	3,032.00
Chief Clerk	3,710.00

Trades Certificate Clerk	3,392.00	
Recertification Clerk	3,032.00	
Recertification Clerk	2,915.00	
Steno-Clerk	3,032.00	
Transcript Clerk	3,032.00	
Clerk	2,816.00	
A-3. Special Payments:		
Clerical Help	14,000.00	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Certification Expense	30,000.00	
Division of Instruction:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 6,800.00	
Secretary	2,600.00	
Field Supervisors (2)	10,650.00	
Chief Supervisor Secondary		
Education	6,400.00	
Secretarial Assistant	3,939.00	
Chief Supervisor of Elementary		
Education	6,000.00	
Supervisor, Primary Education	5,300.00	
Stenographer	2,600.00	
Supervisor Physical Education	6,400.00	
Supervisor Health Education..	5,600.00	
Agent for Negro Schools	6,025.00	
Assistant Agent	5,200.00	
Stenographer	2,860.00	
Stenographer	2,756.00	
Negro Supervisor	4,767.00	
Stenographer	2,756.00	
Supervisor Library Science ...	5,200.00	
Supervisor Adult Education...	5,550.00	
Supervisor Audio-Visual Aid..	5,450.00	
Supervisor Special Education..	6,000.00	
<hr/>		
Total (Item 2) State Department of		
Education—General	\$ 363,378.00	

Item 3. Special Services:

A. Personal Service (Veterans' Education):

A-1. Salaries:

Director	\$ 5,839.00
Secretary	3,335.00
Stenographer	3,032.00

Hard-of-Hearing and Speech Therapy Program:

A-1. Salaries:

Supervisor	6,135.00
Stenographer	2,756.00
Technical Assistant	5,565.00
Hearing and Speech Correction- ist	5,088.00
Hearing and Speech Correction- ist	4,650.00
Field Representative	4,134.00

B. Contractual Services:

B-1. Printing for Public Schools ..	12,000.00
-------------------------------------	-----------

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

Aid to Handicapped, Hard-of- Hearing, and Speech Ther- apy Program	18,000.00
Curriculum Development	16,000.00
State Aid for Teachers' Salaries ..	59,211,000.00
Supervision and Overhead	3,066,960.00
Maintenance and Operation	3,833,700.00
Visiting Teachers (\$3,047.50 per county)	140,185.00
County School Lunch Super- visors	140,185.00
School Lunch Program Aid ..	165,000.00
County Superintendents of Edu- cation	201,135.00

For Matching Federal Funds
for Administration of Fi-
nancial Assistants for
Strengthening Science,
Mathematics, and Modern

Foreign Language Instruction	35,000.00	
For Matching Federal Funds for Guidance, Counseling and Testing; Identification and Encouragement of Able Students	13,474.00	
For Matching Federal Funds for Improvement of Statistical Services of State Educational Agencies	10,000.00	
	<hr/>	
Total (Item 3) Special Services		\$66,903,173.00
Item 4. Special Schools:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Adult Schools	\$ 60,000.00	
Area Trade Schools Operating	394,664.00	
Operation of Catawba Indian School	1,600.00	
	<hr/>	
Total (Item 4) Special Schools		\$ 456,264.00
Item 5. Vocational Education:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Agriculture	\$ 1,060,118.00	
Home Economics	687,373.00	
Trades and Industries	367,095.00	
Distributive Education	53,876.00	
Teacher Training	15,000.00	
Vocational Agriculture Camps	2,500.00	
Home Economics Girls' Camps	5,000.00	
Trades and Industries—		
Camp Improvements	2,500.00	
Matching Federal Funds Area Vocational Education Programs	25,000.00	
	<hr/>	
Total Item 5 (Vocational Education)		\$ 2,218,462.00
	<hr/>	
GRAND TOTAL		\$69,963,177.00

Provided, That the number of teachers qualifying for State Aid in 1961-62 shall be determined on the basis of enrollment and average daily attendance of either the year 1960-61 or 1961-62.

Provided, Further, That so much as may be necessary of the appropriation herein made for "State Aid for Teachers' Salaries" provided in Item 3 of this section, may be used to pay State Aid for Teacher's Salaries for the year 1960-61 should the appropriation for that year prove inadequate.

Provided, Further, that so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 3 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

Provided, Further, That the amount appropriated here under Item 3 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$3,047.50 each per year, and no such salary shall be supplemented from funds provided in Item 3, of this Section, for "School Lunch Program Aid".

Provided, Further, That any excess of funds appropriated for the payment of teachers' salaries for the fiscal year 1960-61 may be carried forward and expended for the same purpose during the fiscal year 1961-62.

Provided, Further, That the amount appropriated herein under Item 3 for Aid to Counties in the School Lunch program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1960-61. *Provided, Further*, that travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further*, that all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superintendent of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropriation and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

Provided, Further, That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunch room supervisor where the pupil attends.

Provided, Further, That in the distribution of State funds provided in this section for "Supervision and Overhead" and for "Maintenance and Operation" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. Provided however, that a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

Provided, Further, That notwithstanding the amount listed in item 3 as appropriated for "Supervision and Overhead," there is hereby appropriated, for the fiscal year 1961-62, an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1961-62, as determined by the State Superintendent of Education, multiplied by Five (\$5.00) Dollars.

Provided, Further, That notwithstanding the amount listed in Item 3 as appropriated for "Maintenance and Operation," or any Act or parts of Acts to the contrary notwithstanding, there is hereby appropriated for the fiscal year 1961-62 an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1961-62, as determined by the State Superintendent of Education, multiplied by Six Dollars and Twenty-five Cents (\$6.25), and the State Superintendent of Education is hereby directed to allot and distribute this fund on that basis.

Provided, Further, that the State Superintendent of Education is hereby authorized to withhold an amount not to exceed \$240,000.00 from the \$5.00 per pupil appropriated for supervision and overhead, to be used for matching Federal funds provided in Title V of the National Defense Education Act of 1958, and that the balance of the \$5.00 per pupil be distributed to the school districts in the same manner as provided by law.

Provided, Further, that the Federal funds provided in Title V for guidance, testing, and counseling, plus the funds withheld, will be distributed to the school districts under the state plans approved by the State Board of Education by which South Carolina is qualified to participate in the program. Schools that do not wish to participate under the provisions of Title V of the National Defense Education Act will be reimbursed with any state funds that have been withheld under this proviso.

Provided, Further, That for the fiscal year 1961-62 the State shall pay on the salaries of County Superintendents of Education \$4,372.50 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Education on the salary of the director or chief administrative officer of schools.

Provided, Further, That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not exceeding \$30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 21

South Carolina Opportunity School

For Maintenance	\$ 170,350.00
-----------------------	---------------

SECTION 22

State Agency of Vocational Rehabilitation

Vocational Rehabilitation	\$ 450,000.00
---------------------------------	---------------

Provided, That any balance in the appropriation for Vocational Rehabilitation for the year 1960-61, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1961-62.

SECTION 23

State Educational Finance Commission

Item 1. Commission:

A. Personal Service:

A-3. Special Payments:

Per Annum of Commission ...	\$ 500.00
-----------------------------	-----------

Item 2. General Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,540.00
Finance Officer	7,500.00
Secretary	4,176.00
Asst. Finance Officer	5,000.00
Field Consultant	5,056.00
Clerk	3,180.00
Stenographer (P. T.)	700.00

A-2. Wages	303.00
------------------	--------

B. Contractual Services:

B-2. Travel	10,000.00
B-3. Telegraph and Telephone ..	2,500.00
B-4. Repairs	500.00

C. Supplies:

C-4. Office Supplies	4,000.00
C-8. Motor Vehicle Supplies ...	550.00

D. Fixed Charges and Contributions:

D-2. Insurance (Bond Premium)	12.50
-------------------------------	-------

G. Equipment:

G-1. Office Equipment	1,000.00
-----------------------------	----------

Total (Item 2) General

Administration \$ 54,017.50

Item 3. Transportation:

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

School Bus Operating Expense	\$ 6,300,000.00
Bus Purchases	1,429,486.45
Shop Construction and Equip- ment	225,000.00

Total (Transportations) \$ 7,954,486.45

Item 4. School Buildings:

A. Personal Service:

A-1. *Salaries:*

Supervisor, Schoolhouse Plan- ning	\$ 7,081.00
---	-------------

Assistant Supervisor, School-		
house Planning	6,212.00	
Secretary	3,158.80	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
County Surveys	500.00	
School Building Aid	12,181,320.00	
	<hr/>	
Total Item 4 (School Buildings) ..		\$12,198,271.80
Item 5. Debt Service:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
State School Bonds:		
Principal	\$ 1,805,000.00	
Interest	311,525.00	
	<hr/>	
Total Item 5 (Debt Service)		\$ 2,116,525.00
		<hr/>
GRAND TOTAL (State Educational		
Finance Commission)		\$22,323,800.75

Provided, That, notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1961-62 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1960-61, as determined by the State Department of Education, multiplied by Twenty (\$20.00) Dollars. *Provided*, That in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

Provided, Further, That principal and interest payments due on any school bonds, the proceeds of which have not been allocated to the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

Provided, Further, That the State Educational Finance Commission is hereby authorized to sell used school buses that may be appraised by the State Highway Department to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

Provided, Further, That for the school year 1961-62 student school bus drivers shall be paid at the rate of \$35.00 per month, and adult drivers at not exceeding \$60.00 per month from State Funds. *Provided, further,* that the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

Provided, Further, That a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded \$25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

Provided, Further, That the State Educational Finance Commission is directed to charge against the responsible local operating unit the cost of any gasoline and oil delivered to school tanks and not properly accounted for, after making reasonable allowance for evaporation.

Provided, Further, That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

Provided, Further, That any balances on June 30, 1961 and on June 30, 1962 in the respective appropriations for School Bus Operating Expense may be carried forward and expended for the purpose of Shop Construction and Equipment in the immediately succeeding fiscal years.

SECTION 24

South Carolina Library Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,200.00
Catalog-Order Librarian	5,500.00
Field Service Librarian	5,300.00

Library Assistant	3,300.00	
Secretary-Bookkeeper	2,968.00	
Catalog Assistant	2,968.00	
Accession Assistant	2,968.00	
A-2. Wages:		
Janitor	282.00	
A-3. Special Payments:		
Travel and Per Diem of Board		
Members	500.00	
B. Contractual Services:		
B-1. Freight, Express and De-		
liveries	200.00	
B-2. Travel	2,500.00	
B-3. Telegraph and Telephone ..	300.00	
B-4. Repairs	100.00	
B-5. Printing and Advertising ..	300.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
C-8. Motor Vehicle Supplies	200.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	300.00	
D-3. Contributions (State Aid) ..	65,755.00	
Service to the Blind	7,000.00	
G. Equipment:		
G-1. Office Equipment	400.00	
G-4. Motor Vehicles and Equip-		
ment	200.00	
G-7. Educational E q u i p m e n t		
(Books for State Aid) ...	5,000.00	
TOTAL (South Carolina Library		
Board)		\$ 113,241.00

SECTION 25

South Carolina Schoolbook Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director and Executive Secre-	
tary	\$ 7,780.00
Assistant Director	6,113.00

Secretary	3,789.00
Bookkeepers (3)	10,228.00
Stenographer-Bookkeeper	3,434.00
Field Auditors (4)	18,618.00
A-3. Special Payments:	
Per Diem of Board	500.00
Clerical Help	2,000.00
B. Contractual Services:	
 B-1. Freight, Express and	
Deliveries	1,800.00
 B-2. Travel	5,600.00
 B-3. Telegraph and Telephone ..	600.00
 B-4. Repairs	350.00
 B-5. Printing and Advertising ..	75.00
C. Supplies:	
C-4. Office Supplies	5,000.00
D. Fixed Charges and Contributions:	
D-2. Insurance	240.00
D-3. Contributions	20.00
G. Equipment:	
G-1. Office Equipment	700.00
G-4. Motor Vehicles and Equip- ment	75.00
<hr/>	
TOTAL (South Carolina Schoolbook	
Commission)	\$ 66,922.00

Provided, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair, testing and redistribution of used textbooks.

SECTION 26

Archives Department

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 8,500.00
Assistant Director	7,200.00
Secretary and Bookkeeper	4,500.00
Librarian	3,800.00
Museum Curator	3,200.00

Editorial Assistants (2)	7,661.00	
Archivist	4,500.00	
A-2. Wages:		
Janitor	2,100.00	
Maintenance	3,500.00	
Document Repairs	6,286.00	
Photographer	3,600.00	
A-3. Special Payments:		
Clerical Help	3,600.00	
Travel and Per Diem	500.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	250.00	
B-2. Travel	400.00	
B-3. Telegraph and Telephone ..	825.00	
B-4. Repairs	4,000.00	
B-5. Printing and Editing His- torical Documents	5,000.00	
B-6. Water, Heat, Light and Power	8,300.00	
C. Supplies:		
C-4. Office Supplies	1,500.00	
C-5. Household, Laundry and Janitorial Supplies	700.00	
C-8. Motor Vehicle Supplies	200.00	
C-9. Agricultural Supplies	250.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	600.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equip- ment	100.00	
G-7. Educational Equipment	1,500.00	
<hr/>		
Total (Administration)		\$ 83,072.00
Item 2. Calhoun Papers Project:		
For Administration:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Regular Staff	\$ 11,178.00	

B. Contractual Services:

B-2. Travel 500.00

B-4. Repairs 50.00

C. Supplies:

C-4. Office Supplies 150.00

G. Equipment:

G-7. Educational Equipment 150.00

Total (Calhoun Papers Project) ..	\$ 12,028.00
-----------------------------------	--------------

GRAND TOTAL (Archives Department)	\$ 95,100.00
---	--------------

Provided, That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College; to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to the State Historian Emeritus.

Provided, Further, That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

Provided, Further, That the State Budget and Control Board may authorize an increase in the salary of the Director if necessary to procure a qualified person for this position, and to supply additional funds therefor by transfer of appropriations, or supplement from the Civil Contingent Fund.

SECTION 27

State Library

For Administration:

A. Personal Service:

A-1. *Salaries*:

Librarian\$ 5,117.00

A-2. *Wages*:

Porter Service 1,901.00

Laborers 317.60

A-3. *Special Payments*:

Clerical Help 317.60

B. Contractual Services:	
B-1. Freight, Express and Deliveries	500.00
B-2. Travel	400.00
B-3. Telegraph and Telephone ..	200.00
B-4. Repairs	700.00
B-5. Printing, Advertising and Binding	250.00
C. Supplies:	
C-4. Office Supplies	500.00
D. Fixed Charges and Contributions:	
D-2. Insurance	7.50
D-3. Contributions (Association Dues)	24.50
G. Equipment:	
G-1. Office Equipment	150.00
G-7. Educational Equipment	500.00
G-8. Other Equipment	50.00
<hr/>	
TOTAL (State Library)	\$ 10,935.20

SECTION 28

Confederate Relic Room

For Administration:

A. Personal Service:	
A-1. <i>Salaries</i> :	
Custodian	\$ 3,031.60
A-2. Wages:	
Laborers	10.00
A-3. Special Payments:	
Clerical Help	140.00
B. Contractual Services:	
B-3. Telegraph and Telephone ..	162.00
B-4. Repairs	60.00
C. Supplies	30.00
G. Equipment:	
G-1. Office Equipment	40.00
<hr/>	
TOTAL (Confederate Relic Room) ..	\$ 3,473.60

SECTION 29.

State Department of Public Welfare

Item 1. Administration	\$ 1,400,000.00
Item 2. Cash Assistance:	
(a) Old Age	\$ 3,208,000.00
(b) Blind	300,000.00
(c) Dependent Children	1,161,000.00
(d) Aid to Permanently and Totally Disabled	960,000.00
(e) Foster Home Care	350,000.00
	<hr/>
Total (Item 2) Cash Assistance ...	\$ 5,979,000.00
Item 3. General Relief	\$ 600,000.00
Item 4. Miscellaneous:	
(a) Eye Examination and Treatment of and Training Blind	\$ 125,000.00
Item 5. Care of Persons Transferred from Confederate Home ..	\$ 13,000.00
	<hr/>
TOTAL (State Department of Public Welfare)	\$ 8,117,000.00

Provided, That any balances of appropriations for this Department, which are unexpended on June 30, 1961, may be carried forward and expended during the fiscal year 1961-62 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department. *Provided, However*, That not more than five (5%) per cent of the amount appropriated for any item or subitem shall be carried forward.

Provided, Further, That the basis of monthly benefit payments during the year 1960-61 in the old age category shall be maintained during the year 1961-62.

Provided, Further, That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

SECTION 30

South Carolina Mental Health Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 14,000.00
Secretary	3,881.00
Fiscal Agent	4,926.00
Bookkeeper	3,183.00
Statistician	4,804.00
Punch Machine Operators (2)	6,063.00
Stenographer	3,638.00

A-3. Special Payments 500.00

B. Contractual Services:

B-2. Travel	2,000.00
B-3. Telegraph and Telephone ..	2,600.00
B-4. Repairs	4,200.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	1,000.00
B-7. Other Contractual Services ..	2,520.00

C. Supplies:

C-2. Fuel Supplies	700.00
C-4. Office Supplies	3,000.00
C-7. Educational Supplies	500.00
C-8. Motor Vehicle Supplies ...	625.00

D. Fixed Charges and Contributions:

D-2. Insurance	120.00
D-4. Other Fixed Charges	150.00

G. Equipment:

G-1. Office Equipment	750.00
-----------------------------	--------

Total Item 1 (Administrative Division)

\$ 59,560.00

Item 2. Mental Hygiene Division:

Operation of Clinics

\$ 234,391.60

TOTAL (S. C. Mental Health Commission)

293,951.60

SECTION 31

South Carolina State Hospital

For Maintenance\$ 7,374,456.00

TOTAL (South Carolina State Hos-
pital)\$ 7,374,456.00

Provided, That upon approval of the State Budget and Control Board, transfers may be made from the appropriation of the State Hospital to that of the Pineland Training School, or vice versa.

Provided, Further, That the services of Dr. George Benet, Chief Surgeon at the State Hospital, may be continued regardless of the South Carolina Retirement laws relating to retirement age.

SECTION 32

Pineland Training School

For Maintenance\$ 450,624.00

SECTION 33

Whitten Village

For Maintenance\$ 2,264,000.00

Provided, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

SECTION 34

South Carolina Sanatorium

For Maintenance\$ 1,167,157.00

For County Sanatoria140,000.00

TOTAL (South Carolina
Sanatorium)\$ 1,307,157.00

Provided, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Florence, Darlington, Greenville and Spartanburg Counties, \$1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and \$1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina

Sanatorium from such county: *Provided, However,* That all payments made by the State under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

SECTION 35

Children's Bureau

For Administration:

A. Personal Service:

A-1. Salaries:

Supervisor	\$ 6,500.00
Director of Case Work	6,000.00
Field Workers	35,233.00
Secretary	3,500.00
Bookkeeper	3,793.00
Stenographer	3,066.00
Stenographer and File Clerk ..	2,728.00

A-3. Special Payments:

Per Diem and Travel—Board of Directors	1,500.00
Professional Fees	3,000.00
Maternity and Hospital Care ..	6,500.00

B. Contractual Services:

B-2. Travel:

For Employees	8,000.00
For Children (Care and Sub- sistence)	12,000.00

B-3. Telegraph and Telephone .. 1,000.00

B-4. Repairs

B-5. Printing and Advertising .. 300.00

C. Supplies:

C-4. Office Supplies

C-6. Medical Supplies

C-7. Educational Supplies

C-10. Clothing and Dry Goods .. 750.00

D. Fixed Charges and Contributions:

D-3. Contributions

G. Equipment:	
G-1. Office Equipment	500.00
<hr/>	
TOTAL (Children's Bureau)	\$ 96,195.00

SECTION 36

South Carolina Probation, Parole and Pardon Board

For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 8,500.00
Supervisor of Paroles	7,500.00
Assistant Director	6,000.00
Field Supervisor	5,280.00
Fugitive Officer	5,280.00
Secretary	3,300.00
Stenographer	2,838.00
Steno-File Clerk No. 1	2,838.00
Steno-File Clerk No. 2	2,537.00
Stenographers For Probation	
Officers	55,200.00
Probation Officers	206,249.00
For Salary and Wage	
Adjustments	30,553.00

A-3. Special Payments:

Per Diem of Board	2,000.00
-------------------------	----------

B. Contractual Services:

B-2. Travel	50,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	300.00

C. Supplies:

C-4. Office Supplies	4,000.00
----------------------------	----------

D. Fixed Charges and Contributions:

D-2. Insurance	150.00
D-3. Contributions (Associa-	
tion Dues)	50.00

G. Equipment:

G-1. Office Equipment	1,500.00
<hr/>	

TOTAL (South Carolina Probation, Parole and Pardon Board)	\$ 396,075.00
--	---------------

Provided, That the amount appropriated in this section for Salary and Wage Adjustments shall be used to supplement the salaries and wages provided in this section, in the discretion of the Director and with the approval of the State Budget and Control Board, except that the salary of the Director is hereby fixed at \$9,350.00 for the year.

SECTION 37

State Penitentiary

For Maintenance \$ 1,259,400.00

Provided, That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Penitentiary.

Provided, Further, That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Penitentiary for safekeeping for the first 90 days of such safekeeping, when a proper showing is made by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-Five (\$1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

Provided, Further, That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement.

Provided, Further, That revenue derived wholly from the sale of farm products may be retained by the Penitentiary and used in its operation.

Provided, Further, Whenever a convict shall be discharged from the Penitentiary the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and transportation from the Penitentiary to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

SECTION 38

State Industrial Schools' Board

Item 1. For Administration:

A. Personal Service:

A-3. Special Payments:

Per Diem and Expense of Board

Members \$ 3,000.00

Item 2. Juvenile Placement Bureau:

A. Personal Service:

A-1. *Salaries*:

Director	\$ 6,763.00
Secretary	3,265.00
Workers	17,472.00

B. Contractual Services:

B-2. Travel	9,200.00
B-3. Telegraph and Telephone ..	400.00

C. Supplies:

C-4. Office Supplies	450.00
----------------------------	--------

D. Fixed Charges and Contributions:

D-2. Insurance	5.00
----------------------	------

G. Equipment:

G-1. Office Equipment	100.00
-----------------------------	--------

Total (Item 2) Juvenile Placement Bureau	\$ 37,655.00
--	--------------

TOTAL (State Industrial Schools' Board)	\$ 40,655.00
---	--------------

SECTION 39

Industrial School for Boys

For Maintenance	\$ 308,416.00
-----------------------	---------------

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 40

Industrial School for Girls

For Maintenance	\$ 142,188.00
-----------------------	---------------

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 41

John G. Richards Industrial School

For Maintenance \$ 194,543.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 42

Industrial School for Negro Girls

For Maintenance \$ 88,416.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 43

State Budget and Control Board

Section 1. Finance Division:

A. Personal Service:

A-1. *Salaries:*

State Auditor	\$ 12,000.00
Special Assistant	10,000.00
Assistant Auditors	47,635.00
Secretary	4,660.00
Stenographer-Clerk	3,860.00

A-2. *Wages:*

Porter Service	1,040.00
----------------------	----------

A-3. *Special Payments:*

Special Payments-Clerical Help	3,960.00
Departmental Surveys	3,500.00
Engineering Services	15,400.00

B. *Contractual Services:*

B-2. Travel	6,000.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	350.00

C. *Supplies:*

C-4. Office Supplies	1,500.00
C-8. Motor Vehicle Supplies	500.00

D. Fixed Charges and Contributions:

D-1. Rents	18.00
D-2. Insurance	175.00
D-3. Contributions (Association	
Dues)	50.00

E. Civil Contingent Fund 150,000.00

G. Equipment:

G-1. Office Equipment	300.00
-----------------------------	--------

TOTAL Section 1 (Finance Division) \$ 262,148.00

Section 2. *Division of Sinking Funds and Property:*

Item 1. Administration:

A-1. *Salaries:*

Director	\$ 12,000.00
Special Agents	18,559.00
Secretary and Bond Clerk ...	4,310.00
Insurance Clerk	3,930.00
Clerk and Bookkeeper	3,835.00
Steno-Clerk	3,169.00
Steno-Clerk	3,169.00

A-3. Special Payments:

Clerical Help	1,300.00
---------------------	----------

B. Contractual Services:

B-2. Travel	1,250.00
B-3. Telegraph and Telephone ..	1,500.00
B-4. Repairs	600.00
B-5. Printing and Advertising ..	25.00

C. Supplies:

C-4. Office Supplies	1,300.00
C-8. Motor Vehicle Supplies ...	1,000.00

D. Fixed Charges and Contributions:

D-2. Insurance (Premium on	
Bonds)	75.00

G. Equipment:

G-1. Office Equipment	500.00
-----------------------------	--------

Total (Item 1) Administration ... \$ 56,522.00

Item 2. State Buildings and Grounds:

A. Personal Service:

A-1. *Salaries:*

State Electrician	\$ 6,360.00
Asst. Electrician	5,141.00
Asst. Electrician	4,200.00
Superintendent (Office Build- ings)	5,414.00
Asst. Superintendent (Office Buildings)	4,240.00
Mechanic	3,029.00
Gardener	4,926.00
Day Policeman	5,023.00
Night Watchmen	19,647.00
Maintenance Men	7,101.00

A-2. *Wages:*

Janitors and Cleaners	71,752.00
Janitress—State House	885.00
Elevator Operators	10,430.00
Window Washers	1,320.00
Laborers	6,707.00

A-3. *Special Payments:*

Temporary Help	200.00
----------------------	--------

B. Contractual Services:

B-1. Freight, Express and De-

liveries	100.00
----------------	--------

B-2. Travel	300.00
-------------------	--------

B-3. Telegraph and Telephone ..	486.00
---------------------------------	--------

B-4. Repairs—General	26,470.00
----------------------------	-----------

Repairs—State House	75,000.00
---------------------------	-----------

B-6. Water, Heat, Light and	
-----------------------------	--

Power	140,000.00
-------------	------------

C. Supplies:

C-2. Fuel and Refrigeration Sup-

plies	13,867.00
-------------	-----------

C-4. Office Supplies	420.00
----------------------------	--------

C-5. Household, Laundry and

Janitorial Supplies	5,835.00
---------------------------	----------

C-9. Agricultural Supplies	2,250.00
----------------------------------	----------

C-10. Clothing and Dry Goods ..	1,000.00
---------------------------------	----------

C-11. Maintenance Supplies	5,405.00
---------------------------------	----------

C-12. Other Supplies	11,966.00
----------------------------	-----------

D. Fixed Charges and Contributions:	
D-1. Rents	12.00
Rents—Departments	50,000.00
D-2. Insurance	3,582.00
D-4. Amortization of Office	
Building Debt	201,375.00
G. Equipment	4,372.00
<hr/>	
Total (Item 2) State Buildings and Grounds	\$ 698,815.00
<hr/>	
Total (Section 2) Division of Sinking Funds and Property	\$ 755,337.00
<hr/>	
Section 3. Division of Office Supplies and Printing:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	\$ 6,360.00
Secretary	4,074.00
A-2. <i>Wages</i> :	
Delivery Service	1,154.00
A-3. <i>Special Payments</i> :	
Clerical Help	200.00
B. Contractual Services:	
B-2. Travel	300.00
B-3. Telegraph and Telephone ..	300.00
B-5. <i>Printing and Advertising</i> :	
Printing State Documents	160,000.00
University Library—Exchange	1,000.00
C. <i>Supplies</i> :	
C-4. Office Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents (Box Rent)	12.00
G. <i>Equipment</i> :	
G-1. Office Equipment	100.00
<hr/>	
Total (Section 3) Division of Office Supplies and Printing	\$ 173,800.00

Section 4. Division of Purchasing:

Item 1. Purchasing:

A. Personal Service:

A-1. *Salaries*:

Director	\$ 9,095.00
Assistant Director	7,579.00
Chief Clerk	5,685.00
Secretary	4,550.00
Clerks, Stenographers and Typists	12,508.00

B. Contractual Services:

B-1. Freight, Express and Deliv- eries	50.00
B-2. Travel	600.00
B-3. Telegraph and Telephone ..	1,400.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	600.00

C. Supplies:

C-4. Office Supplies	3,600.00
C-8. Motor Vehicle Supplies	500.00

D. Fixed Charges and Contributions:

D-1. Rents	24.00
D-2. Insurance	150.00
D-3. Contributions (Assn. Dues)	100.00

G. Equipment:

G-1. Office Equipment	1,000.00
-----------------------------	----------

Total (Item 1) Purchasing	\$ 47,741.00
---------------------------------	--------------

Item 2. Surplus Property:

A. Personal Service:

A-1. *Salaries*:

Director	\$ 8,337.00
Field Agents (2)	11,747.00
Secretary	3,638.00
Steno-Clerk	3,032.00

B. Contractual Services:

B-2. Travel	3,500.00
B-3. Telegraph and Telephone ..	750.00
B-4. Repairs	200.00

C. Supplies:

C-4. Office Supplies	1,000.00
----------------------------	----------

D. Fixed Charges and Contributions:

D-3. Contributions (Ass'n Dues) 50.00

Total (Item 2) Surplus Property. \$ 32,254.00

Total (Section 4) Division of
Purchasing \$ 79,995.00

Section 5. Retirement:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,540.00
Assistant Director	6,250.00
Secretary	4,222.40
Chief Accountant	5,830.00
General Bookkeeper—	
Supervisor	4,550.00
Junior Accountant	4,198.00
Senior Bookkeeper	4,290.00
Steno-Clerks	21,033.50
Posting Machine Operators (4)	12,311.80
Register Clerk	3,207.00
Typist-Clerks	12,077.50
Bookkeeper	3,119.00
Senior Clerk	3,078.00
Disbursement Clerk	3,078.00
Junior Clerks (4)	9,131.10
Retirement Clerk	3,078.00

A-2. *Wages:*

Messenger-Janitor

1,693.20

A-3. *Special Payments and Cleri-*

cal Help

13,700.00

B. Contractual Services:

B-2. Travel

2,000.00

B-3. Telegraph and Telephone ..

1,200.00

B-4. Repairs

2,000.00

B-7. Other

75.00

C. *Supplies:*

C-4. Office Supplies

9,400.00

C-8. Motor Vehicle Supplies ...

750.00

D. Fixed Charges and Contributions:

D-1. Rents

3,152.00

D-2. Insurance	600.00	
D-3. Contributions	95.00	
G. Equipment:		
G-1. Office Equipment	5,000.00	
	<hr/>	
Total (Administration)		\$ 148,659.50
State Employer Contribution:		
School Teachers	\$ 8,978,500.00	
State Employees (Including In-		
stitutions of Higher Educa-		
tion)	3,196,500.00	
	<hr/>	
Total (State Employer Contribution)		\$12,175,000.00
		<hr/>
Total (Section 5) Retirement		\$12,323,659.50
		<hr/>
TOTAL (State Budget and Control		
Board)		\$13,594,939.50

Provided, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further*, That the Civil Contingent Fund, appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further*. That none of the Civil Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

Provided, Further, That the State Auditor may engage independent accountants to audit any State department or institution when he may deem it advantageous or wise to do so. The expense of such audits and the cost of other necessary supplies and equipment may be paid from the appropriation herein made for departmental surveys.

Provided, That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1961-62, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

Provided, Further, That each department, commission, agency, and/or instrumentality of the State of South Carolina, whose employees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

Provided, Further, That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

Provided, Further, That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

Provided, That the appropriation for Section 2, Item 1 of this section shall be paid from revenues of the various Sinking Funds.

Provided, Further, That the State Budget and Control Board is authorized and empowered to employ special agents to examine insurance risks carried by the said Board, and to perform any other duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

Provided, Further, That the State Board of Health is authorized to continue the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. L. A. Hartzog, Health Officer of the Bamberg-Barnwell Health Unit, Dr. H. Grady Callison, Health Officer of the Anderson County Health Unit, and Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, and the Board of Directors of the South Carolina Public Service Authority is authorized to continue the employment of the present general manager, notwithstanding the age requirement of the State Retirement System.

SECTION 44

Board of Health

Item 1. Administration:**Office of State Health Officer:****A. Personal Service:****A-1. Salaries:**

State Health Officer	\$ 16,500.00
Asst. State Health Officer	10,000.00
Secretary	5,741.00
Stenographer III	3,865.00
Drug Inspector	8,034.00
State Supervising Nurse	6,973.00

B. Contractual Services:

B-2. Travel	4,200.00
-------------------	----------

Personnel:**A. Personal Service:****A-1. Salaries:**

Stenographer II	2,728.00
-----------------------	----------

Finance:**A. Personal Service:****A-1. Salaries:**

Director	8,258.00
Accountant II	6,585.00
Stenographer III	3,865.00
Clerk II	2,728.00

Business Management:**A. Personal Service:****A-1. Salaries:**

Clerk II	3,183.00
Clerk I	2,574.00
Telephone Operator	3,183.00
Porter	2,500.00
Messenger	2,274.00

Tabulating:**A. Personal Service:****A-1. Salaries:**

Tabulating Machine Supervisor	7,079.00
Tabulating Operators II	12,641.00
Tabulating Operators I	5,638.00

Vital Statistics:**A. Personal Service:****A-1. Salaries:**

Assistant State Registrar	8,180.00
Field Agent	6,631.00
Stenographers III	7,730.00
Stenographers II	6,480.00
Clerks III	7,253.00
Clerks II	37,195.00
Clerks I	25,327.00

B. Contractual Services:

B-2. Travel	2,500.00
-------------------	----------

Public Health Education:**A. Personal Service:****A-1. Salaries:**

Health Education Consultant ..	6,896.00
Visual Education Assistant ...	3,865.00
Vari-Typist	4,183.00

B. Contractual Services:

B-2. Travel	2,500.00
-------------------	----------

Hospital Construction:**A. Personal Service:****A-1. Salaries:**

Administrator	\$ 8,337.00
Stenographers III	7,503.00
Stenographer II	2,728.00
Clerk II	3,183.00
Hospital Administrative Con- sultant	7,124.00
Architect	7,579.00
Construction Engineer	6,745.00
Hospital Inspectors	12,126.00
Accountant II	6,585.00

A-3. Special Payments:

Advisory Committee (Travel and Per Diem)	1,919.00
---	----------

B. Contractual Services:

B-2. Travel	7,140.00
-------------------	----------

Merit System:

A. Personal Service:

A-1. *Salaries:*

Merit System Supervisor

(P. T.) 2,400.00

Total (Item 1) Administration \$ 310,658.00

Item 2. Disease Control:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Director\$ 10,000.00

Chief—Cancer, Heart, TB

Services 10,000.00

Chief—VD Services (Crippled

Children, and Rheumatic

Heart Disease) 10,000.00

Stenographer III 3,865.00

Clerk III 3,728.00

Consultant Nurse—Special Field

Veterinarian III (P. T.) 3,600.00

B. Contractual Services:

B-2. Travel 5,400.00

Tuberculosis Control:

A. Personal Service:

A-1. *Salaries:*

Record Analyst 3,979.00

Clerks III 7,048.00

Clerk II 2,910.00

Clinic Services (Tuberculosis):

A. Personal Service:

A-1. *Salaries:*

Photofluorographic Operators . 18,097.00

Clerks II 5,911.00

Venereal Disease Control:

A. Personal Service:

A-1. *Salaries:*

Stenographer III 3,728.00

Clerk III 3,728.00

Clerk I 3,092.00

B. Contractual Services:	
B-2. Travel	1,200.00
Heart Disease Control:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Stenographer II	3,142.00
Clinic Services (Heart):	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Clerk II	2,910.00
P. H. Nurse I-A	3,638.00
Dietitian	4,547.00
A-3. Special Payments:	
Clinician's Fees	250.00
B. Contractual Services:	
B-2. Travel	2,500.00
Cancer Control:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Clerk III	3,728.00
Public Relations Rep.	4,823.00
B. Contractual Services:	
B-2. Travel	1,500.00
Clinic Services (Cancer):	
B-7. Other Contractual Services:	
Hospital Care	400,000.00
Epidemiology:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Insect, Rodent Control	
Supervisor I	8,186.00
Medical Entomologist III	7,200.00
Medical Entomologist II	5,863.00
B. Contractual Services:	
B-2. Travel	5,400.00
Laboratory:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	10,000.00
Stenographer III	4,626.00
Bacteriologists III	12,741.00

Bacteriologists II	15,314.00	
Bacteriologist I	4,812.00	
Clerks II	6,184.00	
Clerks I	2,819.00	
Virologist	4,540.00	
Laboratory Technicians II	15,505.00	
Laboratory Technicians I	12,914.00	
Laboratory Helpers	4,840.00	
B. Contractual Services:		
B-2. Travel	400.00	
<hr/>		
Total (Item 2) Disease Control		\$ 650,174.00
Item 3. Dental Health:		
Office of Director:		
A. Personal Service:		
Director	\$ 10,000.00	
Stenographer III	3,646.00	
B. Contractual Services:		
B-2. Travel	4,000.00	
<hr/>		
Total (Item 3) Dental Health		\$ 17,646.00
Item 4. Local Health Supervision:		
Office of Director:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Stenographer III	\$ 3,865.00	
<hr/>		
Total (Item 4) Local Health Super- vision		\$ 3,865.00
Item 5. Sanitary Engineering:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Director (P. T.)	\$ 6,028.00	
Assistant Director	8,681.00	
Stenographer III	3,865.00	
Sanitary Engineers IV	8,109.00	
Sanitation Consultants	22,880.00	
Bedding Inspectors	11,672.00	
Consultant Sanitary Engineer .	8,415.00	
Sanitary Engineer III	6,036.00	
<hr/>		
Total (Item 5) Sanitary Engineering		\$ 75,686.00

Item 6. Maternal and Child Health:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,000.00
Stenographer III	4,093.00

Total Item 6 (Maternal and Child Health)	\$ 14,093.00
--	--------------

Item 7. Crippled Children:

Crippled Children:

Convalescent Home	\$ 75,000.00
Hospital Care	60,000.00
Orthopedic Camps	25,000.00

Speech Therapy:

A. Personal Service:

A-1. *Salaries:*

Speech Therapists (PT)	\$ 4,500.00
-----------------------------	-------------

B. Contractual Services:

B-7. Other Contractual Services:

Hospital Care	8,000.00
---------------------	----------

Clinic Services (Rheumatic Fever):

A. Personal Service:

A-1. *Salaries:*

Clerk II	2,910.00
P. H. Nurse IV	5,305.00
Pediatricians (PT)	1,800.00
Cardiologists (PT)	600.00

B. Contractual Services:

B-2. Travel	1,000.00
-------------------	----------

Total Item 7 (Crippled Children) ..	\$ 184,115.00
-------------------------------------	---------------

Item 8. Executive Committee:

A. Personal Service:

A-3. Special Payments:

Travel and Per Diem of Executive Committee	\$ 2,650.00
--	-------------

Item 9. Other Expenditures:

B. Contractual Services:

B-1. Freight, Express and Deliveries	\$ 400.00
B-3. Telegraph and Telephone ..	2,800.00
B-4. Repairs	4,000.00
B-5. Printing and Advertising ..	4,000.00
B-7. Other Contractual Services ..	600.00

C. Supplies:

C-4. Office Supplies	32,000.00
C-10. Clothing and Dry Goods ..	300.00

D. Fixed Charges and Contributions:

D-1. Rents	16,620.00
D-2. Insurance	3,300.00

G. Equipment:

G-1. Office Equipment	2,000.00
G-8. Laboratory Equipment and Supplies	5,000.00

Special Services (Counties):

Biologics	25,000.00
Antirabic Vaccine	6,000.00
VD Drugs	5,000.00
VD Control	2,400.00
Insect Control Program	105,000.00
Anti-Polio Vaccine	75,000.00

Total Item 9 (Other Expenditures) .	\$ 289,420.00
-------------------------------------	---------------

Total (Central Administration) ...	\$ 1,548,307.00
------------------------------------	-----------------

Item 10. Aid to County Health Units	\$ 1,218,976.00
-------------------------------------	-----------------

GRAND TOTAL (State Board of Health)

\$ 2,767,283.00

Provided, further, that State funds herein provided for aid to county health departments shall be distributed on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive less State funds than for the fiscal year 1960-61.

Provided, further, that Federal funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of county health units, shall be distributed among the counties of the State on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive more

Federal funds until each county has received an amount equal to those amounts made available for the fiscal year 1960-61.

Provided, Further, That both State and Federal Funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health. *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

Provided, Further, That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

Provided, Further, That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

Provided, Further, That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

Provided, Further, That out of the appropriation provided in Item 10 of this section for State Aid to County Health Units, the sum of \$25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.
2. To provide funds to combat special health problems that may exist in certain counties.
3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.
4. To encourage and promote local participation in financial support of the county health departments.

5. To meet emergency situations which may arise in local areas.
6. To fit funds available to amounts budgeted when small differences occur.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 45

Water Pollution Control Authority

For Administration :

A. Personal Service :

A-1. *Salaries:*

Executive Director (P.T.) \$	4,550.00
Engineer—Chemist	8,179.00
Water Pollution Control Engineers II	16,987.00
Chemists	9,536.00
Secretary	3,756.00
Laboratory Technicians	3,911.00
Water Sample Takers	9,776.00
Clerks II	6,356.00

A-3. Special Payments :

Travel and Per Diem of Board Members	1,750.00
Special Fees	500.00

B. Contractual Services :

B-2. Travel	7,200.00
B-3. Telegraph and Telephone	500.00
B-4. Repairs	600.00
B-6. Water, Heat, Light and Power	500.00
B-7. Hearings	350.00

C. Supplies :

C-4. Office Supplies	500.00
C-8. Motor Vehicle Supplies	1,500.00
C-11. Laboratory Supplies	1,000.00

D. Fixed Charges and Contributions :

D-1. Rents	400.00
D-2. Insurance	480.00

D-3. Cooperative Agreement—U. S. Geological Survey	5,000.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equip- ment	800.00	
G-8. Laboratory Equipment	1,000.00	
<hr/>		
Total (Water Pollution Control Au- thority)		\$ 85,631.00

SECTION 46

State Dairy Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,000.00
Auditors	31,376.00
Inspector	5,512.00
Secretaries	6,996.00

A-3. Special Payments:

Per Diem for Commissioners (8)	1,000.00
---	----------

B. Contractual Services:

B-2. Travel	15,000.00
B-3. Telegraph and Telephone . .	1,500.00
B-4. Repairs	350.00

C. Supplies:

C-4. Office Supplies	2,000.00
--------------------------------	----------

D. Fixed Charges and Contributions:

D-2. Insurance	50.00
--------------------------	-------

Total (Dairy Commission)	\$ 71,784.00
------------------------------------	--------------

SECTION 47

State Tax Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 52,500.00
-------------------------	--------------

Supplemental Salary—Chairman	1,750.00	
Executive Secretary	10,000.00	
Administrative Assistants	21,800.00	
Clerks	90,023.00	
Secretaries	46,645.00	
Mail Clerks	15,549.00	
Telephone Operators	9,540.00	
Warrant Officers	108,998.00	
A-2. Wages:		
Machine Operator	3,456.00	
<hr/>		
Total (Item 1) Administrative Division		\$ 360,261.00
Item 2. Inheritance Tax Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,800.00	
Auditors	20,397.00	
Steno-Clerks	9,092.00	
<hr/>		
Total (Item 2) Inheritance Tax Division		\$ 38,289.00
Item 3. Property Tax Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,800.00	
Assistant Director	5,500.00	
Clerks	20,930.00	
Field Agents	33,566.00	
<hr/>		
Total (Item 3) Property Tax Division		\$ 68,796.00
Item 4. Income Tax Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 9,200.00	
Secretaries	12,040.00	
Clerks	337,135.00	
Auditors	363,520.00	
<hr/>		
Total (Item 4) Income Tax Division		\$ 721,895.00

Item 5. License Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Secretaries	11,100.00
Clerks	49,693.00
Auditors	72,862.00
Field Agents	80,145.00

Total (Item 5) License Tax Division \$ 222,800.00

Item 6. Beer and Wine and Alcoholic
Liquors Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Hearing Officer	6,000.00
Secretaries	10,466.00
Clerks	28,928.00
Examiners	9,839.00
Investigators	64,914.00

Total (Item 6) Beer and Wine and
Alcoholic Liquors Division \$ 129,147.00

Item 7. Sales Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,200.00
Secretaries	36,760.00
Clerks	189,093.00
Machine Operators	34,502.00
Auditors	566,547.00
Temporary Help	2,932.00

Total (Item 7) Sales Tax Division. \$ 839,034.00

Item 8. General Operating:

B. Contractual Services:

B-1. Freight, Express and De- liveries	\$ 6,500.00
B-2. Travel	389,000.00
B-3. Telegraph and Telephone ..	16,850.00

B-4. Repairs	20,000.00
B-5. Printing, Binding and Advertising	10,000.00
B-6. Water, Heat, Light and Power	25.00
C. Supplies:	
C-4. Office Supplies and Stamps.	240,000.00
C-8. Motor Vehicle Supplies	7,500.00
D. Fixed Charges and Contributions:	
D-1. Rents	90,000.00
D-2. Insurance—Premium on Bonds	8,000.00
D-3. Contributions	1,000.00
G. Equipment:	
G-1. Office Equipment	30,000.00
G-4. Motor Vehicles and Equipment	8,000.00
For Codifying Commission Regulations and Decisions	5,000.00
Property Assessment Manuals	25,000.00
<hr/>	
Total (Item 8) General Operating .	\$ 856,875.00
<hr/>	
TOTAL (State Tax Commission) ..	\$ 3,237,097.00

Provided, That the Tax Commission is hereby authorized to purchase Revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

Provided, Further, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

Provided, Further, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

SECTION 48

Insurance Commissioner's Office

Executive Control of Insurance:

A. Personal Service:

Administration:

Chief Insurance Commissioner . \$	14,000.00
General Counsel	10,000.00
Chief Deputy Insurance Commissioner	10,500.00
Deputy Insurance Commissioner —Administrator	10,500.00
Deputy Insurance Commissioner —Technical	10,500.00
Assistant General Counsel	6,000.00
Executive Secretary	5,000.00
Secretary	4,000.00
Secretary	4,000.00

Life, Accident and Health Division:

Chief Actuary	9,000.00
Assistant Actuary	7,000.00
Secretary	4,000.00
Hospital Insurance Statistician	5,000.00
Statistician	5,000.00
Policy Analyst	5,200.00

Fire and Casualty Division:

Director	9,000.00
Chief Rate Analyst	7,500.00
Rate Analyst	6,000.00
Statistician	5,000.00
Statistician	5,000.00
Policy Analyst	5,200.00
Secretary	4,000.00

Examining Division:

Chief Examiner	9,000.00
Credit Insurance Supervisor ..	7,000.00
Credit Insurance Investigator ..	5,000.00
Credit Insurance Investigator ..	5,500.00
Examiner	6,000.00
Financial Analyst	6,000.00
Financial Analyst	5,500.00

Examiner Trainee	1,300.00
Examiner Trainee	1,300.00
Office Division:	
Chief Bookkeeper	5,200.00
Assistant Bookkeeper	3,750.00
Securities Clerk	3,750.00
Records Clerk	3,500.00
Records Clerk	3,500.00
Chief Clerk	5,000.00
Stenographer	3,600.00
Stenographer	3,600.00
Stenographer	3,400.00
Stenographer	3,400.00
File Supervisor	3,640.00
File Clerk	2,800.00
File Clerk	2,500.00
Receptionist	3,400.00
Mail and Supply Clerk	3,000.00
Clerk	1,300.00
Extra Clerical Help	1,700.00
License Division:	
Director	9,000.00
Chief License Clerk	3,600.00
License Clerk	3,400.00
License Clerk	3,000.00
License Clerk	3,000.00
Investigator	5,200.00
Investigator	5,000.00
Steno-Clerk	3,800.00
Claims and Assigned Risk Division:	
Director	9,000.00
Chief Investigator	7,000.00
Investigator	6,000.00
Investigator	6,000.00
Investigator	5,500.00
Investigator	5,200.00
Assigned Risk Clerk	3,500.00
Assigned Risk Clerk	3,500.00
Assigned Risk Statistician	5,000.00

Fire Marshal and L. P. Gas Division :	
Director	7,000.00
Chief Fire Inspector	6,500.00
Inspector	5,500.00
Inspector	5,500.00
Inspector	5,500.00
Inspector	5,500.00
Inspector	5,000.00
Chief Gas Inspector	6,500.00
Steno-Clerk	3,800.00
Fire Marshal Department :	
A-3. Special Payments	2,700.00
General Operating :	
B. Contractual Services :	
B-2. Travel	75,000.00
B-3. Telegraph and Telephone ..	6,000.00
B-4. Repairs	5,000.00
B-7. Other Contractual Services .	3,000.00
C. Supplies :	
C-4. Office Supplies	23,000.00
D. Fixed Charges and Contributions :	
D-1. Rents	1,000.00
D-2. Insurance	3,850.00
D-3. Contributions	1,517.50
G. Equipment :	
G-1. Office Equipment	20,000.00
<hr/>	
Total (Insurance Commissioner's Office)	\$ 533,607.50

SECTION 49

Contractors' Licensing Board

For Administration :

A. Personal Service :

A-1. Salaries :

Secretary-Treasurer	\$ 5,088.00
Field Representative	5,088.00
Assistant Secretary	3,498.00
Steno-Clerk	2,332.00

A-3. Special Payments:	
Per Diem Board Members	500.00
Examinations	2,500.00
B. Contractual Services:	
B-2. Travel	4,500.00
B-3. Telegraph and Telephone ..	650.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	200.00
C. Supplies:	
C-4. Office Supplies	3,500.00
D. Fixed Charges and Contributions:	
D-1. Rent	1,800.00
D-2. Bond Premium and Insurance	40.00
G. Equipment:	
G-1. Office Equipment	200.00
<hr/>	
TOTAL (Contractors' Licensing Board)	\$ 29,996.00

SECTION 50

State Service Bureau

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

State Service Officer	\$ 7,074.00
Asst. State Service Officer	6,440.00
Senior Field Investigator	5,809.00
Junior Field Investigator	5,088.00
Secretary	3,816.00
Senior Stenographer	3,169.00

B. Contractual Services:

B-2. Travel	1,500.00
B-3. Telegraph and Telephone ..	400.00
B-4. Repairs	100.00

C. Supplies:

C-4. Office Supplies	700.00
----------------------------	--------

D. Fixed Charges and Contributions:

D-1. Association Dues	100.00
-----------------------------	--------

G. Equipment:	
G-1. Office Equipment	360.00
<hr/>	
Total (Item 1) For Administration	\$ 34,556.00
Item 2. Operation of County Offices	\$ 226,200.00
Item 3. Veterans' Administration Personnel:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Service Officer, VFW	\$ 4,000.00
Secretary, Service Officer, VFW	2,000.00
Service Officers, DAV	5,880.00
Service Officer, The American	
Legion	4,800.00
Secretary, Service Officer,	
American Legion	960.00
<hr/>	
Total (Item 3) Veterans' Adminis-	
tration Personnel	\$ 17,640.00
<hr/>	
TOTAL (State Service Bureau) ...	\$ 278,396.00

Provided, That for the fiscal year 1961-62, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred (\$300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

SECTION 51

Department of Agriculture

Item 1. Superintendence and	
Administration:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Commissioner	\$ 11,000.00
Deputy Commissioner	8,200.00
Assistant to Commissioner	7,500.00
Finance Officer	6,000.00
Agriculturist	6,000.00
Secretary	4,800.00
Clerk-Typist	3,816.00

Editor-Market Bulletin	4,200.00	
Clerks	10,700.00	
Stenographer	2,730.00	
<hr/>		
Total (Item 1) Superintendence and Administration		\$ 64,946.00
Item 1-A. Pure Food and Drug:		
A. Personal Service, Materials, Supplies and Equipment		\$ 50,000.00
Item 2. Chemical Laboratory:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 8,200.00	
Chief Chemist	7,500.00	
Secretary	4,200.00	
Stenographer	3,000.00	
Chemists	27,595.00	
Chief Seed Analyst	6,000.00	
Seed Analysts	19,732.00	
Seed Technicians	27,240.00	
Laboratory Technician	3,400.00	
A-2. Wages:		
Porter	2,000.00	
<hr/>		
Total (Item 2) Chemical Laboratory		\$ 108,867.00
Item 3. Bureau of Inspection:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 7,500.00	
Secretary	4,000.00	
Secretary	3,600.00	
Seed, Feed, Oil and Scales:		
Inspectors	92,660.00	
Audit Clerk	4,770.00	
Auditor	4,200.00	
Stenographers	5,500.00	
Caretaker (Calibration Station)	636.00	
<hr/>		
Total (Item 3) Bureau of Inspection		\$ 122,866.00

Item 4. Warehouse Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,500.00
Secretary	3,945.00
Chief Bookkeeper	6,000.00
Audit Clerks	14,249.00
Warehouse Auditors	34,272.00
Clerk	4,100.00

A-3. Special Payments:

Extra Help	1,300.00
------------------	----------

Total (Item 4) (Warehouse Division)	\$ 71,366.00
---	--------------

Item 5. Egg Law Enforcement:

A. Personal Service:

A-1. *Salaries:*

Inspectors	\$ 11,460.00
------------------	--------------

Item 6. General Operating:

B. Contractual Services:

B-1. Freight, Express and Deliveries	\$ 7,000.00
B-2. Travel	61,600.00
B-3. Telephone and Telegraph ..	3,600.00
B-4. Repairs	7,500.00
B-5. Printing and Advertising:	
Market Bulletin and Expense ..	55,000.00
Agricultural Statistics	1,500.00
B-6. Water, Heat, Light and Power	400.00

C. Supplies:

C-4. Office Supplies	30,000.00
C-7. Educational Supplies	200.00
C-8. Motor Vehicle Supplies	300.00
C-11. Other Supplies	2,000.00

D. Fixed Charges and Contributions:

D-1. Rents	36.00
D-2. Insurance	2,500.00
D-3. Association Dues	200.00
State Fair Exhibit	400.00

G. Equipment:	
G-1. Office Equipment	1,000.00
G-4. Motor Vehicles and Equip- ment	3,000.00
G-8. Other Equipment	1,000.00
<hr/>	
Total (Item 6) General Operating..	\$ 177,236.00
<hr/>	
TOTAL (Department of Agriculture)	\$ 606,741.00

SECTION 52

State Agricultural Marketing Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Marketing Director	\$ 4,656.00
Market Coordinator	5,684.00
Secretary	3,182.00

A-3. Special Payments:

Per Diem of Members	250.00
---------------------------	--------

B. Contractual Services:

B-2. Travel	3,000.00
B-3. Telegraph and Telephone ..	300.00
B-4. Repairs	50.00
B-5. Printing and Advertising	100.00

C. Supplies:

C-4. Office Supplies	145.00
----------------------------	--------

D. Fixed Charges and Contributions:

D-3. Contributions	20.00
--------------------------	-------

G. Equipment:

G-1. Office Equipment	200.00
-----------------------------	--------

Total (Item 1) For Administration	\$ 17,587.00
<hr/>	
Item 2. Farm Market Facilities, Sur- veys and Service	\$ 30,000.00
<hr/>	
TOTAL (State Agricultural Market- ing Commission)	\$ 47,587.00

SECTION 53

State Forestry Commission

Item 1. Division of Forestry :	
Operation and Maintenance	\$ 1,891,540.92
Item 2. Division of State Parks	394,746.00
Item 3. Historical Areas	12,461.00
	<hr/>
TOTAL (State Forestry Commission)	\$ 2,298,747.92

Provided, That, for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

Provided, Further, That the State Forestry Commission may re-fund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

Provided, Further, That all net revenues derived from the operation of the fishing pier at the Myrtle Beach State Park shall be used for improvements at the said park.

Provided, Further, That the State Forestry Commission may sell telephone lines and telephone line equipment, owned by the said Commission, and use funds derived from such sales for the purchase and installation of short wave radio communications.

Provided, Further, That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

Provided, Further, That during the summer the Commission shall, upon request, cut fire lanes for private persons and charge for the same at the rate of \$30.00 per suppression unit per day.

Provided, Further, That out of the amount appropriated in Item 3 of this section a sum not exceeding \$1,200.00 shall be expended for the erection of a fence at the site of the tomb of Francis Marion.

SECTION 54

Clemson Agricultural College (Public Service Activities)

Item 1. Agricultural Research	\$ 855,362.00
Item 2. Fertilizer Inspection and Analysis	85,021.00
Item 3. Extension Division	1,063,000.00
Item 4. Livestock and Poultry Health Department	274,568.00
Item 5. Camp Bob Cooper	2,400.00
Item 6. Camp Long	2,400.00
Item 7. Camp Harry Daniel	2,400.00

TOTAL (Clemson Agricultural College
—Public Service Activities) \$ 2,285,151.00

Provided, That the Agricultural Research Division of Clemson College shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

Provided, Further, That out of the appropriation provided in this section for Agricultural Research the sum of \$20,000, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

Provided, Further, That a Poultry Pathologist may be employed out of funds provided in Item 4 of this section.

SECTION 55

State Soil Conservation Committee

For Administration:

A. Personal Service:

A-1. Salaries:

Executive Secretary	\$ 7,950.00
Clerk-Stenographer	2,968.00

A-3. Special Payments:

Per Diem:

Members State Committee . .	600.00
Clerical Help	200.00

B. Contractual Services:

B-2. Travel	13,500.00
B-3. Telegraph and Telephone ..	600.00
B-5. Printing and Advertising ..	500.00

C. Supplies:

C-4. Office Supplies	700.00
----------------------------	--------

G. Equipment:

G-1. Office Equipment	300.00
-----------------------------	--------

Total (State Soil Conservation Com- mittee)	\$ 27,318.00
--	--------------

SECTION 56

Department of Labor

Item 1. For Administration:**Office of the Commissioner:****A. Personal Service:****A-1. Salaries:**

Commissioner	\$ 9,500.00
Investigation Supervisor	5,247.00
Secretary to Commissioner	3,638.00
Bookkeeper	3,638.00
Senior Conciliator	5,559.00
Junior Conciliator	5,052.00
Junior Conciliator	4,897.00

Division of Inspection:

Director of Inspection and Dep- uty Commissioner	6,000.00
Secretary to Director	3,638.00
Clerks (2)	5,512.00
Inspectors	52,142.50

Division of Standards and Statistics:

Director of Standards and Sta- tistics	5,305.00
Secretary to Director	2,728.00
Statistician	3,638.00
Clerks (2)	5,262.00

A-3. Special Payments:

Clerical Help	300.00
---------------------	--------

B. Contractual Services:	
B-2. Travel	32,000.00
B-3. Telephone and Telegraph ..	1,200.00
B-4. Repairs	500.00
B-5. Printing and Advertising ..	660.00
C. Supplies:	
C-4. Office Supplies	3,000.00
C-8. Motor Vehicle Supplies	540.00
C-11. Other Supplies	100.00
D. Fixed Charges and Contributions:	
D-1. Rents	76.00
D-2. Insurance	100.00
D-3. Contributions:	
Association Dues	75.00
Fair Exhibits	400.00
G. Equipment:	
G-1. Office Equipment	350.00
<hr/>	
Total Item 1 (for Administration) .	\$ 161,057.50
Item 2. Division of Safety:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Safety Director	\$ 5,305.00
Safety Engineers	14,230.50
Secretary	3,412.00
<hr/>	
Total Item 2 (Division of Safety) .	\$ 22,947.50
<hr/>	
TOTAL (Department of Labor) ...	\$ 184,005.00

SECTION 57

South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Seven Thousand Two Hundred (\$7,200.00) Dollars each.

SECTION 58

South Carolina Industrial Commission

Item 1. Administration:

A. Personal Service:

A-1. *Salaries:*

Administrative:

Commissioners (5)	\$ 52,500.00
Administrative Assistant . . .	7,375.00
Secretaries (5)	16,520.00
Reporters (5)	24,630.00
Secretary	3,910.00
Senior Stenographer	3,304.00
Bookkeeper	4,198.00

Coverage:

Secretary	3,134.00
Senior Stenographer	2,759.00
Senior Clerk	3,183.00
Senior Clerk	2,759.00

Claims:

Claims Examiner	6,360.00
Assistant Claims Examiner . .	4,500.00
Senior Stenographer	3,498.00
Senior Clerk	2,759.00
Senior Clerk	2,343.00

Clerical:

Senior Clerks (2)	6,608.00
Junior Clerk	2,759.00
Junior Clerk	2,592.00
Clerk-Typist	2,343.00

Medical:

Medical Consultant	2,304.00
Senior Stenographer	3,304.00

Safety:

Senior Safety Engineer	5,368.00
Junior Safety Engineer	4,430.00

Statistical:

Supervisor of Statistics and Claims	5,088.00
Statistician	3,486.00

Assistant Statistician	3,274.00
Machine Operator	2,940.00
State Fund:	
Director	7,311.00
Claims Investigator	4,801.00
Claims Investigator	4,028.00
Senior Stenographer	3,304.00
Senior Stenographer	3,304.00
Senior Clerk	2,759.00
Senior Payroll Auditor	4,801.00
Junior Payroll Auditor	4,134.00
Investigator-Auditor	4,700.00
Other Services:	
Mail Clerk	2,759.00
Switchboard Operator	2,577.00
A-3. Special Payments:	
Clerical Help	3,400.00
B. Contractual Services:	
B-2. Travel	19,500.00
B-3. Telegraph and Telephone ..	3,300.00
B-4. Repairs	1,400.00
B-5. Printing and Advertising ..	1,000.00
C. Supplies:	
C-4. Office Supplies	16,000.00
C-8. Motor Vehicle Supplies	5,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	6,000.00
D-2. Insurance, Workmen's Comp. and Bonds	1,000.00
D-3. Contributions	300.00
G. Equipment:	
G-1. Office Equipment	2,800.00
G-4. Motor Vehicles and Equip- ment	4,000.00
TOTAL (S. C. Industrial Commission)	\$ 296,406.00

SECTION 59

Wildlife Resources Department

Item 1. Administrative Division :

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 700.00
Administrative Assistant	7,208.00
Information Assistant	4,725.00
Education Assistant	5,830.00
Secretaries (2)	8,216.00

A-3. Special Payments:

Clerical Help	1,250.00
Hearing Fees	500.00

B. Contractual Services:

B-2. Travel	3,750.00
B-3. Telegraph and Telephone ..	800.00
B-4. Repairs	600.00
B-5. Printing and Advertising ..	10,000.00
B-7. Other Contractual Services.	150.00

C. Supplies:

C-4. Office Supplies	1,950.00
C-7. Educational Supplies	3,000.00
C-8. Motor Vehicle Supplies	1,750.00

D. Fixed Charges and Contributions:

D-2. Insurance	350.00
D-3. Contributions and Dues	250.00
D-4. Other Fixed Charges—	
Surveys	250.00
D-5. Exhibits	1,000.00

G. Equipment:

G-1. Office Equipment	500.00
G-4. Motor Vehicle Equipment ..	4,600.00
G-7. Educational Equipment	2,000.00

Total (Item 1) Administrative	\$	59,379.00
------------------------------------	----	-----------

Item 2. Division of Game:

A. Personal Service:

A-1. *Salaries:*

Director (Chief Game Warden) \$	8,580.00
Chief Clerk	5,500.00

Secretary-License Clerk	3,964.50	
Deputy Chief Clerk	4,547.50	
Clerk-Bookkeeper	3,630.00	
Senior Stenographer	3,790.00	
Senior Stenographer	3,790.00	
A-2. Wages	2,275.00	
Extra Clerical Help	1,200.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	150.00	
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone ..	1,000.00	
B-4. Repairs	750.00	
B-5. Printing and Advertising ..	250.00	
B-7. Other Contractual Services ..	400.00	
C. Supplies:		
C-4. Office Supplies	2,250.00	
C-12. Other Supplies (Licenses Forms, Etc.)	6,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance and Bonds	500.00	
G. Equipment:		
G-1. Office Equipment	350.00	
<hr/>		
Total (Item 2) Division of Game ..		\$ 51,927.00
Item 3. Division of Commercial Fisheries:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Auditor	\$ 5,088.00	
Secretary and Bookkeeper	4,130.00	
District Inspectors	33,156.00	
Stenographer	2,928.00	
A-2. Wages	418.00	
A-3. Special Payments:		
Clerical Help	500.00	
Operation Patrol Boats and Airplane Hire	2,700.00	
Legal Services	200.00	
Oyster and Clam Culture	400.00	
B. Contractual Services:		
B-2. Travel	15,800.00	
B-3. Telegraph and Telephone ..	800.00	

B-4. Repairs	1,500.00	
B-5. Printing and Advertising ...	25.00	
B-6. Water, Heat, Light and Power	300.00	
B-7. Other Contractual Services ..	50.00	
C. Supplies:		
C-1. Food Supplies	200.00	
C-4. Office Supplies	2,000.00	
C-5. Household, Laundry, Jani- torial Supplies	25.00	
C-6. Medical Supplies	10.00	
C-8. Motor Vehicle Supplies ...	5,000.00	
C-10. Clothing and Dry Goods ..	400.00	
C-11. Maintenance Supplies	750.00	
D. Fixed Charges and Contributions:		
D-1. Rents	800.00	
D-2. Insurance	850.00	
G. Equipment:		
G-1. Office Equipment	450.00	
G-4. Motor Vehicle Equipment ..	8,000.00	
<hr/>		
Total (Item 3) Division of Commer- cial Fisheries		\$ 86,480.00
Item 4. Bears Bluff Laboratories:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 10,600.00	
Research Assistants (2)	10,642.00	
Maintenance Supervisor	3,900.00	
Secretary-Bookkeeper	3,816.00	
Stenographer	3,000.00	
A-2. Wages	2,700.00	
A-3. Special Payments	500.00	
Shrimp Survey	12,000.00	
B. Contractual Services:		
B-2. Travel	350.00	
B-3. Telegraph and Telephone ..	500.00	
B-4. Repairs	350.00	
B-5. Printing and Advertising ..	400.00	
B-6. Water, Heat, Light and Power	360.00	
B-7. Other Services	25.00	

C. Supplies :

C-1. Food Supplies	75.00
C-2. Fuel Supplies	300.00
C-4. Office Supplies	350.00
C-5. Household, Laundry and Janitorial Supplies	100.00
C-6. Medical Supplies	10.00
C-8. Motor Vehicle Supplies	700.00
C-11. Maintenance Supplies	1,000.00
C-12. Other Supplies	200.00

D. Fixed Charges and Contributions :

D-2. Insurance	400.00
----------------------	--------

G. Equipment :

G-1. Office Equipment	500.00
G-3. Household Equipment	100.00
G-8. Other Equipment	300.00

Total (Item 4) Bears Bluff Labora-
tories

\$ 53,178.00

TOTAL (Wildlife Resources Depart-
ment)

\$ 250,964.00

Provided, That the total amount of appropriations made in items one and two of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

Provided, Further, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be expended except on approval of a majority of the respective county delegations, including the Senator.

Provided, Further, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

Provided, Further, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

SECTION 60

Board of Bank Control

Item 1. Board of Bank Control:

A. Personal Service:

A-1. *Salaries:*

Secretary\$ 4,770.00

A-3. Special Payments:

Per Diem of Board 550.00

Official Expense Allowance—
Chairman 636.00

B. Contractual Services:

B-2. Travel 1,000.00

D. Fixed Charges and Contributions:

D-1. Rent 18.00

Total (Item 1) Board of Bank
Control

\$ 6,974.00

Item 2. Examining Division:

A. Personal Service:

A-1. *Salaries:*

Chief Bank Examiner\$ 10,600.00

Assistant Chief Bank Examiner 7,950.00

Assistant Examiners 61,740.00

Secretary 4,710.00

Stenographer 4,244.00

Stenographer 3,971.00

A-3. Special Payments:

Clerical Help 1,590.00

B. Contractual Services:

B-2. Travel 34,750.00

B-3. Telegraph and Telephone .. 1,200.00

B-4. Repairs 400.00

B-5. Printing and Advertising ... 50.00

B-7. Other Contractual Services . 1,200.00

C. Supplies:

C-4. Office Supplies 1,550.00

D. Fixed Charges and Contributions:

D-1. Rents 18.00

D-2. Insurance 137.50

D-3. Contributions 235.00

G. Equipment:	
G-1. Office Equipment	1,000.00
<hr/>	
Total (Item 2) Examining Division	\$ 135,345.50
Item 3. Small Loan Division:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	\$ 9,540.00
Assistant Director	7,950.00
Examiners	28,090.00
Secretary	4,664.00
A-3. Special Payments:	
Per Diem of Board	500.00
Official Expense Allowance—	
Chairman	1,590.00
Secretary of Board	636.00
Hearing Fees	1,000.00
B. Contractual Services:	
B-2. Travel	25,000.00
B-3. Telegraph and Telephone ..	600.00
B-4. Repairs	200.00
C. Supplies:	
C-4. Office Supplies	3,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	1,746.00
D-2. Insurance	60.00
D-3. Contributions	100.00
G. Equipment:	
G-1. Office Equipment	1,000.00
<hr/>	
Total (Item 3) Small Loan Division	\$ 85,676.00
<hr/>	
TOTAL (Board of Bank Control) ...	\$ 227,995.50

Provided, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

SECTION 61

Public Service Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Chairman	\$ 8,395.00
Commissioners (6)	48,972.00
Executive Secretary	7,000.00
Asst. Secretary	4,650.00
Director of Rate Bureau	8,590.00
Office Assistant	4,790.00
Director of Communications ..	6,500.00
Assistant Director	6,500.00
Accountant	5,500.00
Stenographers (2)	7,759.00
Engineer	6,000.00
Official Reporters (2)	10,116.00

A-2. Wages	2,056.00
------------------	----------

A-3. Special Payments:

Expense Allowance—Attorney	1,500.00
----------------------------	----------

B. Contractual Services:

B-2. Travel	11,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	2,000.00
----------------------------	----------

D. Fixed Charges and Contributions:

D-1. Rents	1,666.67
D-2. Insurance	300.00
D-3. Contributions	875.00

G. Equipment:

G-1. Office Equipment	200.00
-----------------------------	--------

Total (Item 1) For Administration	\$ 146,569.67
-----------------------------------	---------------

Item 2. Motor Transport Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,852.00
Office Assistant	5,148.00

Chief Clerk	4,862.00	
Cashier	5,148.00	
Insurance Clerk	3,595.00	
Stenographer	4,205.00	
Steno-Clerk	3,911.00	
Steno-Clerk	3,404.00	
Clerk	3,032.00	
Chief Inspector, District No. 1.	5,148.00	
Chief Inspector, District No. 2.	5,148.00	
Inspectors	78,520.00	
A-3. Special Payments:		
Experts, Investigations and Ex-		
tra Clerical Help	700.00	
B. Contractual Services:		
B-2. Travel	53,400.00	
B-3. Telegraph and Telephone ..	1,760.00	
B-4. Repairs	200.00	
B-6. Water, Heat, Light and		
Power	21.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
C-12. Other Supplies (License		
Plates)	1,550.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,680.00	
D-2. Insurance	879.00	
G. Equipment:		
G-1. Office Equipment	360.00	
<hr/>		
Total (Item 2) Motor Transport		
Division		\$ 194,523.00
Item 3. Utilities Division:		
A. Personal Service:		
A-1. Salaries:		
Director	\$ 7,200.00	
Assistant Director	6,500.00	
Accountant	5,000.00	
Engineers (2)	12,000.00	
Field Inspector	5,450.00	
Typist	1,667.00	
Stenographers (2)	7,409.00	

B. Contractual Services:

B-2. Travel	6,000.00
B-3. Telegraph and Telephone ..	600.00
For additional experts, expenses of witnesses, supplies, travel and other necessary ex- penses	3,500.00

Total (Item 3) Utilities Division ..	\$ 55,326.00
--------------------------------------	--------------

TOTAL (Public Service Commission)	\$ 396,418.67
-----------------------------------	---------------

Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1952.

Provided, Further, That all public service companies doing business in this State, shall, on or before June 30, 1961, furnish the Comptroller General in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1960.

Provided, Further, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

Provided, Further, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

Provided, Further, That the Commission, within its discretion, may prorate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

SECTION 62**South Carolina Aeronautics Commission****Item 1. For Administration:****A. Personal Service:****A-1. Salaries:**

Director	\$ 10,000.00
Assistant Director	6,063.00
Secretary to Commission	3,183.00

Office Manager	4,547.00	
Stenographer	2,849.00	
A-2. Wages:		
Janitor	1,611.00	
A-3. Special Payments	6,500.00	
<hr/>		
Total (Item 1) For Administration		\$ 34,753.00
Item 2. For Regulation, Training and Inspection:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Flight Inspector	\$ 5,305.00	
Educational Director	5,305.00	
<hr/>		
Total (Item 2) For Regulation, Training and Inspection ..		\$ 10,610.00
Item 3. For Airport Maintenance:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Chief Supervisor	\$ 5,505.00	
Electrician	3,561.00	
Machine Operators	15,915.00	
A-2. Wages:		
Laborers	3,776.00	
Temporary Help	3,126.00	
<hr/>		
Total (Item 3) For Airport Maintenance		\$ 31,883.00
Item 4. For Equipment Maintenance:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Shop Foreman	\$ 4,123.00	
Mechanic	3,561.00	
<hr/>		
Total (Item 4) For Equipment Maintenance		\$ 7,684.00
Item 5. For Operation:		
B. Contractual Services:		
B-2. Travel	\$ 9,500.00	
B-3. Telegraph and Telephone .	2,700.00	
B-4. Repairs	9,000.00	

B-5. Printing and Advertising ..	1,000.00	
B-6. Water, Heat, Light and Power	6,500.00	
B-7. Other Contractual Services	5,000.00	
C. Supplies:		
C-4. Office Supplies	3,000.00	
C-8. Motor Vehicle Supplies ...	4,500.00	
C-11. Other Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	50.00	
D-2. Insurance	5,500.00	
D-3. Contributions	800.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equip- ment	15,000.00	
Total (Item 5) For Operation		\$ 64,050.00
Item 6. Maintenance and Improve- ments of Airports		\$ 35,000.00
Item 7. Special Maintenance Fund for State System Airports:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Resident Maintenance Super- visors		\$ 13,432.00
TOTAL (South Carolina Aeronautics Commission)		\$ 197,412.00

Provided, That the funds appropriated in Item 6 of this section shall be used only to maintain existing facilities in the State Airports System.

SECTION 63

State Development Board

Item 1. For Administration:

A-1. *Salaries:*

Director	\$ 18,000.00
Assistant Director	12,000.00
Administrative Assistant	5,500.00

Industrial Agent	7,950.00
Senior Stenographer	3,381.00
Supply Room Clerk	2,226.00
Chief of Research and Field Man	10,000.00
Secretary to Assistant Director	3,941.00
Senior Stenographer	3,381.00
Senior Stenographer	3,381.00
Junior Accountant	4,770.00
Field Men	52,359.60
Agricultural and Internal In- dustries Division	35,000.00
A-2. Wages:	
Laborers	1,040.00
A-3. Special Payments:	
Board Members	2,000.00
Clerical Help	1,500.00
B. Contractual Services:	
B-1. Freight, Express and Deliv- eries	500.00
B-2. Travel and Promotional Ac- tivities	28,000.00
B-3. Telegraph and Telephone ..	12,000.00
B-4. Repairs	4,000.00
B-7. Other Contractual Services ..	32,000.00
C. Supplies:	
C-4. Office Supplies	12,000.00
C-7. Educational Supplies	1,500.00
C-8. Motor Vehicle Supplies ...	5,000.00
C-12. Other Supplies	150.00
D. Fixed Charges and Contributions:	
D-1. Rents	375.00
D-2. Insurance	2,000.00
D-3. Contributions	50.00
G. Equipment:	
G-1. Office Equipment	3,000.00
G-2. Motor Vehicle Equipment ..	5,000.00
G-8. Other Equipment	150.00
<hr/>	
Total Item 1. Administration	\$ 272,154.60

Item 2. Division of Geology:

A. Personal Service:

A-1. *Salaries:*

State Geologist	\$ 9,540.00
Secretary	3,932.00
Project Geologist	9,000.00
Ceramics Consultant	1,500.00
Draftsman	650.00
Field Assistants	660.00

B. Contractual Services:

B-2. Travel	750.00
B-4. Repairs	1,000.00
B-5. Printing, Binding and Advertising	2,000.00
B-7. Other Contractual Services ..	400.00

C. Supplies:

C-7. Educational Supplies	150.00
C-8. Motor Vehicle Supplies	3,000.00
C-12. Other Supplies	375.00

E. Contingencies

83.00

G. Equipment:

G-8. Other Equipment	750.00
----------------------------	--------

Total Item 2. Division of Geology . \$ 33,790.00

Item 3. Travel and Information Division:

For Administration\$ 21,500.00

B. Contractual Service:

B-5. Printing, Binding and Advertising:

Tourist and Industrial 250,000.00

Total (Item 3) Travel and Information Division \$ 271,500.00

Item 4. Aircraft Operation and Maintenance:

A. Personal Service:

A-1. *Salaries:*

Chief Pilot and Field Man	\$ 8,000.00
Co-Pilot and Field Man	5,500.00
Substitute Crew Member	800.00

B. Contractual Services:**B-1. Travel and Promotional**

Activities 2,500.00

B-3. Telegraph and Telephone .. 10.00

B-4. Repairs 10,000.00

B-6. Water, Heat, Light and
Power 50.00**C. Supplies:**

C-7. Educational Supplies 100.00

C-8. Aviation Fuel and Motor
Vehicle Supplies 13,500.00**D. Fixed Charges and Contributions:**

D-2. Insurance 5,000.00

D-3. Contributions and Dues ... 250.00

G. Equipment:

G-1. Office Equipment 150.00

Total (Item 4) Aircraft Operation
and Maintenance

\$ 45,860.00

Total (State Development Board) ..

\$ 623,304.60

SECTION 64**Civil Defense Agency**

For Administration \$ 65,263.00

Provided, That the appropriation provided for the operation of this department shall be budgeted and submitted to the State Budget and Control Board for approval before any expenditures are made therefrom.

SECTION 65**S. C. Alcoholic Center**

For Maintenance and Operation \$ 150,000.00

Provided, That the appropriation provided for the operation of this department shall be budgeted and submitted to the State Budget and Control Board for approval before any expenditures are made therefrom.

SECTION 66

Miscellaneous Appropriations

Item 1. To the Workmen's Compensation Fund to cover Compensation Insurance for State employees	\$ 125,000.00
Item 2. Woodrow Wilson Home—Maintenance Repairs	650.00
Item 3. Rocky Bottom Camp	2,400.00
Item 4. Regional Education Board:	
Scholarships	260,500.00
Administration	4,100.00
Item 5. Atlantic States Marine Fisheries Commission Dues ...	900.00
Item 6. South Carolina School Committee	25,000.00
Item 7. Committee to Study the Use of Television in the Public Schools, and the Feasibility of Operating a Pilot School	798,600.00
Item 8. Poet Laureate	600.00
Item 9. Confederate War Centennial Commission	50,000.00
Item 10. Tax Study Committee	15,000.00
Item 11. For Off-Campus University Centers	50,000.00
Item 12. Committee on Mental Health and Mental Institutions ..	3,000.00
Item 13. Judicial Council	11,500.00
TOTAL (Miscellaneous Appropriations)	\$ 1,347,250.00

Provided, That warrants for the disbursement of the appropriation in Item 5 of this section shall be approved by the Executive Committeeman from South Carolina.

Provided, Further, That of the amount appropriated in Item 4 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and Out-of-State tuition fees for non-contract students, not to

exceed, however, the sum of \$350.00 for any medical or dental student, nor the sum of \$300.00 for any student of veterinary medicine, landscape architecture, optometry, Physical Therapy, Occupational Therapy, and students for Insurance Actuary. *Provided, Further,* That when any such non-contract student is approved by the State Board the payment provided herein shall be made directly to the institution or school involved for the account of such student.

Provided, Further, That out of the amount appropriated in Item 4 of this Section for scholarships, a sum not in excess of \$60,000.00, may be used by the South Carolina Regional Educational Board to provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

Provided, Further, That funds provided in Item 11 of this section shall be allotted by the Board of Trustees of the University of South Carolina to the University and to the various off-campus centers on an equitable cost basis, to be approved by the State Budget and Control Board.

Provided, Further, That the appropriation provided for Item 7 of this section shall be budgeted and submitted to the State Budget and Control Board for approval before any expenditures are made therefrom.

Provided, Further, that any balance on June 30, 1961, in the 1960-61 appropriation for "an expanded program of research" may be carried forward and expended for the same purpose, with the approval of the State Budget and Control Board, during fiscal year 1961-62.

Provided, Further, That out of the amount appropriated in Item 9 of this section, the amount of \$15,000.00 shall be available immediately upon approval of this Act by the Governor.

SECTION 67

Contributions

Item 1. Association of the Blind	\$ 25,000.00
Item 2. Confederate Museum	100.00
Item 3. Spanish War Veterans	1,000.00
Item 4. Council State Governments..	8,750.00

Item 5. Carolina Orphan Home	25,000.00
Item 6. Oakley Park Red Shirt Shrine	1,800.00
Item 7. Commission on Uniform State Laws	850.00
Item 8. The Florence Crittenton Home (Charleston)	4,500.00
Item 9. Civil Air Patrol	15,000.00
TOTAL (Contributions)	\$ 82,000.00

SECTION 68

Aid to Subdivisions

Item 1. Aid to Counties:

Income Tax	\$ 3,300,000.00
Alcoholic Liquors Tax	2,000,000.00
Beer and Wine Tax	577,500.00
Insurance Tax	1,700,000.00
Bank Tax	300,000.00
Gasoline Tax	7,000,000.00

Total (Item 1) Aid to Counties . . .	\$14,877,500.00
--------------------------------------	-----------------

Item 2. Aid to Municipalities:

Alcoholic Liquors Tax	\$ 1,500,000.00
Beer and Wine Tax	660,000.00
Insurance Tax	200,000.00
Bank Tax	150,000.00
Motor Transport Fees	605,500.00

Total (Item 2) Aid to Municipalities . . .	\$ 3,115,500.00
--	-----------------

TOTAL (Aid to Subdivisions)	\$17,993,000.00
-------------------------------------	-----------------

Provided, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

SECTION 69

State Highway Department

For Operation, Maintenance and Con-
struction \$57,121,605.00

Provided, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bonds sales.

Provided, Further, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

Provided, Further, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

Provided, Further, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

Provided, Further, That the State Highway Department may set aside and deposit in its name the sum of three hundred fifty thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

Provided, Further, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner.

Provided, Further, That the employees of the State Highway Department shall receive a wage of not less than \$1.00 per hour, and no employee shall receive less than \$8.00 for an eight-hour work day.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of \$1.00 each for furnishing certified copies of abstracts of operating records of drivers in the administration of the Motor Vehicle Safety Responsibility Act of 1952, as amended; and also may establish an appropriate schedule of fees to be charged for copies of other records, lists, bidders' proposals, plans, maps, etc. based upon approximate actual costs of producing such copies, lists, bidders' proposals, plans, maps, etc., which schedule shall be effective upon approval by the State Highway Commission.

Provided, Further, That the Highway Department may sell any materials, supplies, or equipment classified as obsolete, surplus, or junk for which the Department has no further need, or offer same for trade-in on the purchase of new materials or equipment. All such sales of obsolete, surplus or junk materials or equipment by the Department shall be to the highest bidder not less than 10 days after having been advertised in a newspaper of statewide circulation at least once. *Provided,* That items having a value of less than \$25.00 may be disposed of by sale in the most advantageous way to the Department, and *provided further,* that the State Highway Department may make negotiated sales of surplus materials, equipment and supplies to county, state, and municipal agencies on a mutually agreed upon basis. All proceeds from the sale of such obsolete, surplus or junk material, supplies, and equipment shall be credited to the State Highway Fund.

Provided, Further, That the State Highway Department shall pay into the General Fund of the State the sum of \$242,000.00 as its proportionate share of the cost of administration of the following departments:

State Treasurer's Office	\$ 20,000.00
Comptroller General's Office	24,000.00
Attorney General's Office	75,000.00
State Budget and Control Board:	
Purchasing Division	20,000.00
State Tax Commission:	
Collection of Highway Revenue	103,000.0
Total	\$ 242,000.00

SECTION 70**Recapitulation***Maintenance and Operation:*

Section 3.	Legislative Department	\$ 799,935.00
Section 4.	Judicial Department	627,075.00

Executive and Administrative Division

Section 5.	Governor's Office	713,325.50
Section 6.	Lieutenant Governor's Office	2,600.00
Section 7.	Secretary of State	63,290.20
Section 8.	Comptroller General	636,069.00
Section 9.	Attorney General	312,467.00
Section 10.	State Treasurer	2,305,424.36
Section 11.	Adjutant General	214,207.28

Educational Division

Section 12.	University of South Carolina	3,725,748.00
Section 13.	The Citadel	1,672,510.00
Section 14.	Clemson College (Collegiate Activities)	3,415,164.00
Section 15.	Winthrop College	1,519,373.00
Section 16.	State Medical College	2,522,369.00
Section 17.	S. C. State College	1,594,461.00
Section 18.	John de la Howe School	245,472.00
Section 19.	School for the Deaf and the Blind	579,797.00
Section 20.	State Superintendent of Education	69,963,177.00
Section 21.	South Carolina Opportunity School	170,350.00
Section 22.	State Agency of Vocational Rehabilitation	450,000.00
Section 23.	State Educational Finance Commission	22,323,800.75
Section 24.	State Library Board	113,241.00
Section 25.	State Schoolbook Commission	66,922.00
Section 26.	Archives Department	95,100.00
Section 27.	State Library	10,935.20
Section 28.	Confederate Relic Room	3,473.60

Correctional and Welfare Division

Section 29.	Department of Public Welfare	8,117,000.00
Section 30.	S. C. Mental Health Commission	293,951.60
Section 31.	State Hospital	7,374,456.00
Section 32.	Pineland Training School	450,624.00
Section 33.	Whitten Village	2,264,000.00
Section 34.	South Carolina Sanatorium	1,307,157.00
Section 35.	Children's Bureau	96,195.00

Section 36.	Probation, Parole and Pardon Board . . .	396,075.00
Section 37.	State Penitentiary	1,259,400.00
Section 38.	State Industrial Schools' Board	40,655.00
Section 39.	Industrial School for Boys	308,416.00
Section 40.	Industrial School for Girls	142,188.00
Section 41.	John G. Richards Industrial School	194,543.00
Section 42.	Industrial School for Negro Girls	88,416.00

Regulatory Division

Section 43.	State Budget and Control Board	13,594,939.50
Section 44.	Board of Health	2,767,283.00
Section 45.	Water Pollution Control Authority	85,631.00
Section 46.	State Dairy Commission	71,784.00
Section 47.	Tax Commission	3,237,097.00
Section 48.	Insurance Commissioner	533,607.50
Section 49.	Contractors' Licensing Board	29,996.00
Section 50.	State Service Bureau	278,396.00
Section 51.	Department of Agriculture	606,741.00
Section 52.	State Agricultural Marketing Commission	47,587.00
Section 53.	State Forestry Commission	2,298,747.92
Section 54.	Clemson College (Public Service Activities)	2,285,151.00
Section 55.	State Soil Conservation Committee	27,318.00
Section 56.	Department of Labor	184,005.00
Section 57.	Employment Security Commission	
Section 58.	Industrial Commission	296,406.00
Section 59.	Wildlife Resources Department	250,964.00
Section 60.	Board of Bank Control	227,995.50
Section 61.	Public Service Commission	396,418.67
Section 62.	Aeronautics Commission	197,412.00
Section 63.	State Development Board	623,304.60
Section 64.	Civil Defense Agency	65,263.00
Section 65.	S. C. Alcoholic Center	150,000.00

Miscellaneous Division

Section 66.	Miscellaneous Appropriations	1,347,250.00
Section 67.	Contributions Division	82,000.00
Section 68.	Aid to Subdivisions	17,993,000.00

Total General Fund	184,157,661.18
Section 69. Highway Department	57,121,605.00

GRAND TOTAL 241,279,266.18

SECTION 71. The expenditure of moneys appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated in the requisition. *Provided, However, That*, upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

SECTION 72. Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

Provided, Further, That at all state institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

SECTION 73. During the fiscal year 1961-62 the State's institutions of higher learning shall maintain rates not less than those charged during the year 1960-61 for tuition, maintenance, and all other costs heretofore borne by those attending the said institutions, except the student activity fee, the amount of which may be fixed by the respective boards of trustees, and in all cases it is hereby required that such institutions shall charge fees which will fully cover all subsistence, laundry, infirmary treatment, and such other personal expenses. *Provided, Further, That* the University of South Carolina, The Citadel, Clemson College, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical College

Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 71 of this Act, and expended to fulfill the purpose for which such fees or income were levied; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, shall not be considered as State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1961, both summer school and summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

SECTION 74. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1961-62, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable therefor, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

SECTION 75. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as

that provided for the disbursement of state funds. *Provided*, That any such Federal aid or grant must be approved by the State Budget and Control Board before being accepted by such department, institution or other agency. *Provided, Further*, that donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

SECTION 76. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. *Provided, Further*, That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

SECTION 77. That salaries paid to officers and employees of the State, including its several boards, commissions and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However*, That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, State Training School, and the S. C. Sanatorium, when the cash compensation of such employees is less than \$3,000.00 per year. *Provided, Further*, That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further*, That the Farm Director, Farm Managers and specialists em-

ployed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

Provided, Further, That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

SECTION 78. That the authorities of all institutions and departments for which a lump sum appropriation is made shall make an itemized report to the State Budget and Control Board of all expenditures at such intervals as may be required by said Board. *Provided, Further,* That no part of such lump sum appropriations shall be used for permanent improvements unless specifically authorized herein.

SECTION 79. That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act, shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the same to be paid from the approved accounts of the respective houses. *Provided, However,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, Further,* That the salary appropriated under Sec. 3, Item 1, Secretary (Between sessions), and all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, Further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

Provided, Further, That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten per cent over the rate paid for the 1956 session. Such sums shall be paid from the Approved

Accounts of the respective Houses, services to both Houses, and the Legislative Council.

SECTION 80. That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of \$10.00 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed, except that the members of the Public Service Commission may be reimbursed at the regular mileage rate for one round trip each week from their respective homes to Columbia and may receive the regular subsistence allowance of other State employees for not exceeding three days in any week while in Columbia on official business. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided*, That members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided, Further*, That employees of the State traveling outside of the State on official business, shall be allowed the sum of \$12.50 per day as subsistence expenses, except that the Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. *Provided, Further*, That each Circuit Judge while holding Court within or without the circuit in which he resides and each Justice of the Supreme Court, while attending the sessions of said Court at Columbia, shall be allowed the sum of fifteen (\$15.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. Two members of the Supreme Court shall be allowed actual subsistence and travel expenses while attending the National Convention of Chief Justices. *Provided, Further*, Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand or greater, population, such employees shall be allowed the sum of \$2.50 per day additional as subsistence expenses.

The State Budget and Control Board is authorized to promulgate and publish regulations governing the application of the above-provided rates of travel of State employees.

That when an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge of 9 cents per mile will be allowed for the use of such automobile, and the employees shall bear the expense of supplies and upkeep thereof, provided this will not increase the appropriation for travel for the fiscal year 1961-62. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. *Provided*, That in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

SECTION 81. That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

SECTION 82. That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten (\$10.00) Dollars per day. *Provided*, That no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

SECTION 83. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further*, That no State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson College, and Winthrop College.

SECTION 84. That members of the armed forces and federal employees stationed in South Carolina shall have the privilege of sending their children to the State educational institutions for the fees charged to citizens of this State; and where such persons are ordered away from the State, the children may continue to have this privilege while they attend the institutions.

Provided, Further, That foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

SECTION 85. The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson College, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; the said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

SECTION 86. In addition to the powers and duties devolved upon the Budget and Control Board by the 1952 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State, that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to construction by any other means. *Provided, Further,* That the State Budget and Control

Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

SECTION 87. Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided*, That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further*, That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further*, That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further*, That no such reduction shall be ordered by the State Budget and Control Board while the General Assembly is in session, without first reporting such necessity to the General Assembly.

Provided, Further, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

Provided, Further, That the disbursement of all funds appropriated in this act for educational purposes shall be in the discretion of the State Budget and Control Board.

Provided, Further, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any

unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

SECTION 88. That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

SECTION 89. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1962. *Provided,* That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

SECTION 90. Effective at the beginning of the next license year, the State Highway Department shall design and supply, at an appropriate fee, a special license plate, or supplemental plate or attachment, for use on all publicly owned motor vehicles operated by any department or institution of the State of South Carolina, or any of its political subdivisions. It shall be unlawful for any such publicly owned vehicle to be operated in the State of South Carolina that does not carry such official emblem or marker. *Provided,* However, that this provision shall not apply to the automobile supplied for the Governor's personal use, automobiles supplied to Law Enforcement Officers, when in the opinion of the Chief of the South Carolina Law Enforcement Division it is advisable that such automobiles not be so marked, nor to automobiles supplied to Statewide elective State officials.

End of Part I

PART II**Permanent Provisions****SECTION 1****Following sections to be permanent laws:**

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2**Highway Department may maintain roadside parks.**

The State Highway Department is hereby authorized to own and maintain roadside parks adjacent to State highways, provided that no State Highway funds shall be used for the acquisition of lands for such roadside parks, and *Provided, Further*, That this authorization shall not serve to broaden the liability of the State Highway Department for damages to persons or property to include any damages which may be suffered by any person, firm or corporation, occurring within such roadside parks or by reason of the ownership and maintenance of same by the State Highway Department.

SECTION 3**Retirement Pay of justices, judges and their widows.**

Section 61-256 of the Code of Laws of South Carolina, 1952, as amended, is hereby further amended to read as follows:

"A Chief Justice or any Justice or Judge, resigning or retiring under the provisions of this chapter or who has heretofore resigned or retired, shall receive each year for the balance of his life the amount of nine thousand dollars, and the State Treasurer shall pay out of the funds in the State Treasury, on the warrant of the official authorized to approve payments of warrants for the salaries of the Justices or Judges, the amount provided herein. Upon the death hereafter of any active or retired Chief Justice, Justice or Judge who shall have elected to come within the retirement provisions, his widow shall receive annually, so long as she shall live and remain unmarried, a sum of money equal to one-third of the annual retirement pay provided for a Chief Justice, Justice or Judge, the same to be paid in monthly installments, and the State Treasurer shall pay to such widow out

of the funds in the State Treasury, on the warrant of the official authorized to approve payments of warrants for the salaries of the Chief Justice, Justices or Judges, the amount provided herein.”

SECTION 4

State Ports Authority may issue bonds for grain facilities.

The General Assembly by Act No. 821 of 1956, as amended by Act No. 32 of 1957, authorized the issuance of State bonds for the purpose of providing docking facilities at the seaports of South Carolina and to provide at these ports additional facilities for exporting soy beans and other small grains.

The General Assembly further finds that the proceeds derived from the bonds issued for these purposes have been inadequate to complete the facilities at the ports of the State, and that it is highly desirable to provide an additional one million dollars for the purpose of providing adequate facilities with particular emphasis on the construction of a grain elevator and necessary attendant facilities for storing and exporting soy beans and other small grains. By reason of such finding, it is necessary to effect the following further amendments to Act No. 821 of 1956, as now amended:

Section 2 of Act 821 of 1956, as amended by Act No. 32 of 1957, is further amended by striking out the same and inserting in lieu thereof the following, which shall become Section 2:

“Section 2. For the purpose of enabling the Authority to construct adequate modern docking facilities for the seaports of Beaufort, Georgetown and Charleston, and to provide adequate facilities for exporting soy beans and other small grains at one or more of these ports, the Governor and State Treasurer shall be empowered and are hereby authorized subject to the conditions of this act to issue State Ports Bonds to the extent of twenty-two million dollars, such bonds to be general obligation bonds of the State of South Carolina.”

Section 6 of Act No. 821 of 1956, as amended by Act No. 32 of 1957, is further amended by striking out the same and inserting in lieu thereof the following, which shall become Section 6:

“Section 6. For the payment of the principal and interest on all State Ports Bonds at any time issued and outstanding, there shall be pledged the full faith, credit and taxing power of the State of South Carolina, and in addition thereto, but subject to the provisions of this section, the entire amount of revenue derived from the tax levied on income, pursuant to Chapter 5 of Title 65, Code of Laws of South Carolina, 1952, as amended. The revenues derived from such tax

during each fiscal year shall be discharged from each pledge when provision has been made for the payment in full of the principal and interest of all State Ports Bonds matured or maturing in such fiscal year, and there shall be applied to the payment of such bonds annually such amounts from the net revenues derived by the Authority from its operations as shall from time to time be determined and directed by the State Budget and Control Board. The pledge of such revenue derived from such tax shall preclude the repeal of such tax until such pledge has been fully discharged but it shall not preclude the revision of such tax as to rate, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and fifty per cent of that sum which is equal to the maximum annual principal and interest requirements on all State Ports Bonds outstanding, or then requested to be issued on the date such certificate bears. Such certificate shall be appended to the enrolled act and be presented to the Joint Assembly of the General Assembly on the occasion such act is presented for ratification."

Section 15 of Act No. 821 of 1956, as amended by Act No. 32 of 1957, is further amended by striking out the same and inserting in lieu thereof the following, which shall become Section 15:

"Section 15. No bonds may be issued pursuant to this act after December 31, 1962."

SECTION 5

Distribution of certain taxes to counties.

For the last six months of the fiscal year 1960-61, and for each fiscal year thereafter, the distributions of counties' portions of the Income Tax, the Alcoholic Liquors Tax, and the Beer and Wine Tax among the counties of the State shall be on a population basis according to the 1960 official Federal census; *Provided, however*, that no county shall be allotted from such revenues, respectively, an amount less than 95% of the amount to which it was entitled for the fiscal year 1959-60, or 95% of the amount to which such county would be entitled on the basis of the 1950 census if the total amount to be distributed for any year should be less than such amount for the year 1959-60.

To carry out the above distributions, there shall be deducted from the county allocations of the respective revenues which were increased by adoption of the 1960 census, in the proportion that such increase in any county bears to the total of such increases, a sufficient amount to bring the allocations of all counties up to the above minimum allo-

cation; *provided, however*, that no such deduction shall reduce the respective allocations to any county below the amount to which such county would be entitled on the basis of the 1950 census should the total amount to be distributed be less than such amount for the year 1959-60.

SECTION 6

Minimum retirement allowance for certain teachers and State employees.

Section 61-211 and Section 61-212 of the 1952 Code of Laws of South Carolina, as amended, is hereby amended by striking out the words "a minimum of \$60.00 per month" and inserting in lieu thereof the following: "a minimum of \$70.00 per month."

SECTION 7

Apportionment of representatives.

Until the next apportionment, the representatives of the several counties in the House of Representatives shall be as follows: Abbeville, one; Aiken, four; Allendale, one; Anderson, five; Bamberg, one; Barnwell, one; Beaufort, two; Berkeley two; Calhoun, one; Charleston, eleven; Cherokee, two; Chester, two; Chesterfield, two; Clarendon, one; Colleton, one; Darlington, three; Dillon, two; Dorchester, one; Edgefield, one; Fairfield, one; Florence, four; Georgetown, two; Greenville, eleven; Greenwood, two; Hampton, one; Horry, four; Jasper, one; Kershaw, two; Lancaster, two; Laurens, two; Lee, one; Lexington, three; McCormick, one; Marion, two; Marlboro, one; Newberry, one; Oconee, two; Orangeburg, four; Pickens, two; Richland, ten; Saluda, one; Spartanburg, eight; Sumter, four; Union, two; Williamsburg, two; and York, four.

SECTION 8

United States Census of 1960 adopted.

The United States Census of 1960 is hereby adopted as the true and correct enumeration of the inhabitants of the several counties, municipalities and other governmental subdivisions of the State of South Carolina.

SECTION 9

General Reserve Fund.

Section 2 of Part III of Act No. 644 of the Acts of 1954 is amended to read as follows:

"Section 2. There shall be established and maintained a fund which shall hereafter be carried in a special account in the State Treasury, and which shall be known and designated as 'The General Fund Reserve'. The maximum amount of the General Fund Reserve shall be \$4,000,000.00.

On or before September 30, 1954, and of each year thereafter, the State Budget and Control Board shall determine the amount by which the State's revenues, applicable thereto, exceeded the sum of (1) actual expenditures for normal maintenance and operation of the State Government for the fiscal year immediately preceding, including expenditures to political subdivisions of the State based on established percentages of revenues, but not including expenditures for highway purposes, and (2) unexpended balances of continuing appropriations made during the fiscal year immediately preceding. From such excess revenues so determined, if any, there shall be transferred to the General Fund Reserve an amount sufficient to bring the said General Fund Reserve to the sum of \$4,000,000.00 but not in excess thereof.

The General Fund Reserve shall be used, by transfer to the State's General Fund, as directed by the State Budget and Control Board, to cover, or apply to, any annual deficit which may occur by reason of General Fund expenditures in any year, plus other outstanding appropriation liabilities, exceeding revenues applicable thereto, and for no other purpose."

End of Part II

All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1961-62. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

Approved the 1st day of May, 1961.

(R312, H1355)

No. 208

An Act To Amend Item (11) Of Section 65-259, Code Of Laws Of South Carolina, 1952, Relating To The Deductions Allowed In Computing Net Income, So As To Increase The Limitations With Respect To The Deductions For Charitable Contributions Made By Individuals From Fifteen Per Cent To Twenty Per Cent And In Some Circumstances To Thirty Per Cent.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (11) of Section 65-259, 1952 Code, amended—**income tax deductions for charitable contributions.**—Item (11) of Section 65-259, Code of Laws of South Carolina, 1952, is amended by striking on line five the word “fifteen” and inserting in lieu thereof the word “twenty”, by striking on line six the words “net income as computed without the benefit of this Item (11)” and inserting in lieu thereof the words “adjusted gross income” and by adding at the end thereof the following: “*provided*, that contributions or gifts made to or for the use of churches, conventions or associations of churches, educational institutions, hospitals or medical research organizations situate in South Carolina no part of the net earnings of which inure to the benefit of any private stockholder or individual shall entitle the person making the gift or contribution to an additional deduction in an amount not in excess of ten per cent of the taxpayer’s adjusted gross income;”, so that when amended the item shall read as follows:

“(11) Contributions or gifts made by individuals within the taxable year to corporations or associations operated exclusively for religious, charitable, scientific or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, to an amount not in excess of twenty per cent of the taxpayer’s adjusted gross income; *provided*, that contributions or gifts made to or for the use of churches, conventions or associations of churches, educational institutions, hospitals or medical research organizations situate in South Carolina no part of the net earnings of which inure to the benefit of any private stockholder or individual shall entitle the person making the gift or contribution to an additional deduction in an amount not in excess of ten per cent of the taxpayer’s adjusted gross income;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act, upon approval by the Governor, shall be effective for taxable years beginning January 1, 1961.

Approved the 1st day of May, 1961.

(R313, H1363)

No. 209

An Act To Amend Section 65-1421, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Use Tax So As To Provide For The Imposition Of Sales Or Use Tax On Construction Equipment Without Allowances For Proration Or Depreciation Under Certain Circumstances.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1421, 1952 Code, amended—imposition of use tax.—Section 65-1421, Code of Laws of South Carolina, 1952, as last amended, is further amended by adding after the word “subsection” at the end of paragraph 2 of Section 9 of Part II of Act No. 813 of 1956 the following: “*Provided*, further, that should any other state levy a sales or use tax against the property of a person or company of this State engaged in the construction business without an allowance for the period of use of such property in such other state or without an allowance for the reasonable depreciation in value of the property so used in such other state, then the Commission, in its discretion shall be authorized to levy the tax prescribed in this section against the property of a person or company of such other state engaged in the construction business when such property is brought into this State for use, storage or consumption. The tax shall be measured by the original purchase price of such property without regard to any proration for period of use, storage or consumption of such property in this State or for any depreciation in value of such property when brought into this State.” so that when so amended Section 65-1421 shall read as follows:

“Section 65-1421. An excise tax is imposed on the storage, use or other consumption in this State of tangible personal property purchased at retail for storage, use or other consumption in this State, at the rate of three (3) per cent of the sales price of such property,

regardless of whether the retailer is or is not engaged in business in this State.

Notwithstanding any other provision of law, a use tax at the rate of three (3%) per cent of the value hereinafter prescribed is hereby levied upon the storage or use in this State of any motor vehicles, machines, machinery, tools, or other equipment, or other tangible personal property, brought, imported, or caused to be brought into this State for use in constructing, building, or repairing any building, highway, street, sidewalk, bridge, culvert, sewer or water system, drainage or dredging system, railway system, reservoir or dam, power plant, pipe line, transmission line, tower, dock, wharf, excavation, grading or other improvement or structure, or any part thereof. The owner, or if the property is leased, the lessee of any such motor vehicles, machines, machinery, tools or other equipment, or other tangible personal property, shall be liable to the tax provided herein, to be computed as prescribed below. The useful life of such motor vehicles, machines, machinery, tools, or other equipment, or other tangible personal property shall be determined by the Commission in accordance with the experience and practices of the building and construction trade. The use tax provided for herein shall be computed on the basis of such proportion of the original purchase price of such property as the duration of time of use in this state bears to the total useful life thereof. The tax herein provided shall become due immediately upon such property being brought into this State, and in the absence of satisfactory evidence as to the period of use intended in this State, it shall be presumed that the property will remain in this State for the remainder of its useful life. *Provided, However,* that the use in this State of any motor vehicles, machines, or machinery previously purchased at retail for use in another State and actually placed into substantial use in another State before being brought, imported or caused to be brought into this State by the owner thereof for use in constructing or repairing its own buildings, structures or other property, shall not be subject to the tax provided in this subsection. *Provided,* further, that should any other state levy a sales or use tax against the property of a person or company of this State engaged in the construction business without an allowance for the period of use of such property in such other State or without an allowance for the reasonable depreciation in value of the property so used in such other State, then the Commission, in its discretion, shall be authorized to levy the tax prescribed in this sec-

tion against the property of a person or company of such other state engaged in the construction business when such property is brought into this State for use, storage or consumption. The tax shall be measured by the original purchase price of such property without regard to any proration for period of use, storage or consumption of such property in this State or for any depreciation in value of such property when brought into this State.

All provisions of this Chapter not directly in conflict with the provisions of this Section shall be applicable with respect to the matters herein set forth. The use, storage, or consumption of such property when purchased for use in this State shall be subject to the full amount of use tax provided in this Section regardless of the period of intended use in this State."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1961.

(R314, H1437)

No. 210

An Act To Authorize The South Carolina Wildlife Resources Department To Negotiate A Reciprocal Agreement With The Authorities Of The State Of Georgia In Regard To Fishing In The Savannah River Below Clark's Hill Dam.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Wildlife Resources Department may make reciprocal agreements with Georgia concerning fishing in Savannah River.—The South Carolina Wildlife Resources Department is authorized to negotiate a reciprocal agreement with the authorities of the State of Georgia whereby any resident of Georgia properly licensed by that state may fish anywhere in the Savannah River, but not in its tributaries, below Clark's Hill Dam with no other license being required, provided any resident of South Carolina, properly licensed by South Carolina, shall be permitted the same fishing privilege.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1961.

(R315, H1537)

No. 211

An Act Requiring The Filing And Recording Of Commissions Or Documents Of Authority Of Persons Holding Office In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hampton County officials to file commissions with clerk of court.—Every person elected or appointed to an office in Hampton County or a subdivision thereof shall, within thirty days after qualifying for such office, file with the clerk of court for recording a copy of his commission or other document of authority.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1961.

(R316, H1674)

No. 212

An Act To Amend Section 15-263, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Second Judicial Circuit, So As To Redesignate When The Terms Shall Be Held.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-263, 1952 Code, amended—terms of court in second circuit.—Section 15-263, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 15-263. The courts of the Second Judicial Circuit shall be held as hereinafter provided.

(1) Aiken County. The Court of General Sessions for Aiken County shall be held at Aiken on the third Monday in January, the first Monday in May and the first Monday in October, each for two weeks. The Court of Common Pleas for Aiken County shall be held at Aiken on the first Monday in January for a term of two weeks, on the fourth Monday in February for a term of two weeks, on the second Monday in April for a term of one week, on the third Monday in June for a term of two weeks, and on the first Monday in November for a term of three weeks; *provided*, if Thanksgiving Day occurs during the third week of the session, the last week of the term shall be held during the following week.

(2) Bamberg County. The Court of General Sessions for Bamberg County shall be held at Bamberg on the third Monday in February for a term of one week and on the second Monday in September for a term of one week. The Court of Common Pleas for Bamberg County shall be held at Bamberg on the third Monday in April for a term of two weeks, on the second Monday in July for a term of one week and on the third Monday in October for a term of two weeks.

(3) Barnwell County. The Court of General Sessions for Barnwell County shall be held at Barnwell on the second Monday in February for a term of one week, on the fourth Monday in May for a term of one week, and on the third Monday in September for a term of one week. The Court of Common Pleas of Barnwell County shall be held at Barnwell on the second Monday in March for a term of two weeks, on the second Monday in June for a term of one week, and on the first Monday in December for a term of two weeks.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1961.

(R317, S242)

No. 213

An Act To Amend Act No. 836 Of 1952, As Amended, Relating To The Mentally Ill Or Deficient, So As To Further Provide For The Admittance Of Such Persons To Veterans Administration Hospitals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (a), Section 1, Article IV of Act 836 of 1952 amended—procedure for admittance to institutions of United States.—Subsection (a), Section 1, Article IV of Act No. 836 of 1952, is amended by adding the following after the first sentence:

“Any individual may, subject to the availability of suitable accommodations, be admitted to a Veterans Administration Hospital upon written application to the hospital by a friend, relative, spouse, custodian, or guardian of the individual or the superintendent of any medical institution in which such individual may be; and upon a certificate by two designated examiners that they have examined the individual and that they are of the opinion that he is mentally ill, and is in need of care and treatment in a hospital and because of his condition, lacks sufficient insight or capacity to make responsible application therefor, or because of his condition is likely to injure himself or others.

An individual, with respect to whom such certificate has been issued, may not be admitted on the basis thereof at any time after the expiration of fifteen days after the date of examination, exclusive of any period of temporary detention authorized under Section 2 of Article IV.”, and by deleting on line 8 the following words: “pursuant to the order of the court”, so that when amended the section shall read as follows:

“(a) If any individual ordered to be admitted to an institution pursuant to Section 6 of Article II or Section 3 of Article III is eligible for institutional care or treatment by any agency of the United States, the court, upon receipt of a certificate from the agency showing that facilities are available and that the individual is eligible for care or treatment therein, may order him to be placed in the custody of the agency for admittance.

Any individual may, subject to the availability of suitable accommodations, be admitted to a Veterans Administration Hospital upon written application to the hospital by a friend, relative, spouse, cus-

todian, or guardian of the individual or the superintendent of any medical institution in which such individual may be; and upon a certificate by two designated examiners that they have examined the individual and that they are of the opinion that he is mentally ill and is in need of care and treatment in a hospital and because of his condition, lacks sufficient insight or capacity to make responsible application therefor, or because of his condition is likely to injure himself or others.

An individual, with respect to whom such certificate has been issued, may not be admitted on the basis thereof at any time after the expiration of fifteen days after the date of examination, exclusive of any period of temporary detention authorized under Section 2 of Article IV.

When the individual is admitted to any institution operated by any agency of the United States within or without the State, he shall be subject to the rules and regulations of the agency. The superintendent of any institution operated by the agency and in which the individual is confined, shall with respect to the individual, be vested with the same powers as the superintendents of institutions or the commission within this State with respect to detention, custody, transfer, conditional discharge, or discharge of patients. Jurisdiction is retained in the appropriate courts of this State at any time to inquire into the mental condition of the individual admitted, and to determine the necessity for continuance of his confinement. Every order of admittance issued pursuant to this section is so conditioned."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

An Act To Amend Section 72-107, Code Of Laws Of South Carolina, 1952, Exempting Casual Employees And Other Excepted Employments From The Provisions Of The South Carolina Workmen's Compensation Law, So As To Include Employees And Employers Operating Peach Packing Sheds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 72-107, 1952 Code, amended—subsection (9) added—certain persons exempted from workmen's compensation law—peach packers included.—Section 72-107, Code of Laws of South Carolina, 1952, is amended by adding thereto another subsection which shall be subsection (9) as follows:

“(9) Employees and employers principally engaged in the business of operating peach packing sheds where peaches grown in the State are packed for shipment.” so that, when so amended, Section 72-107 shall read as follows:

“Section 72-107. This Title shall not apply to:

(1) Casual employees, farm laborers, Federal employees in this State or domestic servants;

(2) Any person that has regularly employed in service less than fifteen employees in the same business within this State;

(3) Employees or employers principally engaged in the business of operating a saw mill or planing mill or manufacturing shipping containers;

(4) Logging operations and work incident thereto;

(5) Employees or employers engaged in the production of turpentine;

(6) Steam laundries, rock quarries, sand mines and oil mills;

(7) Textile Hall Corporation, an eleemosynary corporation whose principal object is the organizing and production of the southern textile exposition;

(8) State and county fair associations; nor

(9) Employees and employers principally engaged in the business of operating peach packing sheds where peaches grown in the State are packed for shipment.

Unless any such employer voluntarily elects to be bound by this Title, as provided in Section 72-109.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R320, S339)

No. 215

An Act To Amend Section 15-714, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Civil Jurisdiction Of The County Court Of Orangeburg County, So As To Enlarge The Jurisdiction Of The Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-714, 1952 Code, amended—civil jurisdiction of Orangeburg County Court.—Section 15-714, Code of Laws of South Carolina, 1952, as amended is further amended to read as follows :

“Section 15-714. The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and in equity, in which the amount demanded in the complaint does not exceed ten thousand dollars or in which the value of the property involved does not exceed ten thousand dollars and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demanded or in which the right involved cannot be measured or fixed by any monetary value.

The court shall also have concurrent jurisdiction with the court of common pleas to hear and determine actions for divorce from the bonds of matrimony and of all matters determinable in such actions, such as the custody of children, alimony and property rights of the parties, irrespective of the value involved.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R323, S345)

No. 216

An Act To Amend Act No. 800 Of The Acts Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By Certain Municipalities In Horry County, So As To Include The Town Of Cherry Grove Beach Under The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 800 of 1960 amended—municipalities in Horry County may clean up vacant lots and assess owners.—Section 1 of Act No. 800 of the Acts of 1960, as amended, is further amended by striking it out and inserting in lieu thereof the following:

“Section 1. The City of Myrtle Beach and the Towns of Ocean Drive Beach, Crescent Beach and Cherry Grove Beach in Horry County, ten days after sending notice to the owner of any vacant lot within the corporate limits of the municipality that it has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot, if the owner has not done so, and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R324, H1048)

No. 217

An Act To Amend Section 19-111, Code Of Laws Of South Carolina, 1952, Relating To Renunciation Of Dower, So As To Simplify The Provisions Relating To The Renunciation Of Dower And To Require The Official Seal Of The Officer Before Whom The Renunciation Is Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 19-111, 1952 Code, amended—renunciation of dower—procedure.—Section 19-111, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 19-111. Any woman who has an inchoate right of dower in any lands in this State, whether she be of lawful age or minor, may renounce and relinquish her right of dower by acknowledging it in writing before any officer of this State, or of the state in which the

renunciation is executed, or of the United States, who is authorized by law to administer oaths. The officer shall append to the writing his certificate in the form prescribed by Section 19-114, and affix his official seal, if any.

When recorded in the county where the real estate is located, the renunciation shall be effective to convey away, bar and terminate the dower right of the woman, although she has executed no deed of conveyance for that purpose."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R325, H1051)

No. 218

An Act To Amend Section 21-225, Code Of Laws Of South Carolina, 1952, Relating To The Removal From Office Of School District Trustees, So As To Change The Provision Of Appeals From The State Board Of Education To The Court Of Common Pleas.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-225, 1952 Code, amended—removal of school trustees—vacancies.—Section 21-225, Code of Laws of South Carolina, 1952, is amended by striking on lines 6 and 7 the words "State Board of Education within ten days after service of such order upon him" and inserting in lieu thereof the words "court of common pleas, as provided in Section 21-103 (2)", so that when amended the section shall read as follows:

"Section 21-225. School district trustees shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 21-103 (2). Vacancies oc-

curing in the membership of any board of trustees for any cause shall be filled for the unexpired term by the county board of education in the same manner as provided for full term appointments.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R326, H1054)

No. 219

An Act To Repeal Sections 22-51 Through 22-55, Code Of Laws Of South Carolina, 1952, Relating To Free Tuition In State Institutions Of Higher Learning, As These Sections Are Now Obsolete.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 22-51 through 22-55, 1952 Code, repealed.—Sections 22-51 through 22-55, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R327, H1055)

No. 220

An Act To Amend Section 37-537, Code Of Laws Of South Carolina, 1952, Relating To The Inapplicability Of Group Accident And Health Insurance Provisions To Other Types Of Insurance Contracts, So As To Refer To New Sections Which Have Replaced The Section Referred To In This Section.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 37-537, 1952 Code, amended—article not applicable to certain contracts.—Section 37-537, Code of Laws

of South Carolina, 1952, is amended by striking on line 2 thereof the following: "in the form prescribed by Section 37-472" and inserting in lieu thereof: "under the provisions of Sections 37-471.1 through 37-471.9", so that when amended the section shall read as follows:

"Section 37-537. Nothing contained in this article shall be deemed applicable to any contract issued under the provisions of Sections 37-471.1 through 37-471.9."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R328, H1056)

No. 221

An Act To Repeal Act No. 747 Of Acts And Joint Resolutions Of 1952, Relating To Capitation Tax On Dogs And To The Property Status Of Dogs Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 747 of 1952 repealed.—Act No. 747 of Acts and Joint Resolutions of 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R329, H1182)

No. 222

An Act To Repeal Sections 33-511 Through 33-515, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of Gates Upon The Highways Of This State And The Maintenance Of Or Damage To Such Gates, Since This Conflicts With The Highway Obstruction Statutes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-511 through 33-515, 1952 Code, repealed.—Sections 33-511 through 33-515, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R330, H1183)

No. 223

An Act To Repeal Sections 33-616 And 33-617, Code Of Laws Of South Carolina, 1952, Making It Illegal To Carry Fire On Bridges And Prohibiting The Construction Of Certain Buildings Near Bridges.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-616 and 33-617, 1952 Code, repealed.—Sections 33-616 and 33-617, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R331, H1184)

No. 224

An Act To Repeal Sections 33-721 Through 33-725, Code Of Laws Of South Carolina, 1952, Relating To Ferry Service Across MacKay's Creek And Skull Creek In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-721 through 33-725, 1952 Code, repealed.—Sections 33-721 through 33-725, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R332, H1185)

No. 225

An Act To Repeal Section 33-733, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Maintenance Of Certain Ferries Across Black River And Catawba River.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-733, 1952 Code, repealed.—Section 33-733, Code of Laws of South Carolina, 1952, as amended by Act No. 68 of the Acts of 1955, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R333, H1186)

No. 226

An Act To Repeal Sections 33-760 Through 33-778.2, Code Of Laws Of South Carolina, 1952, Relating To Privately Owned Toll Roads, Bridges And Ferries.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-760 through 33-778.2, 1952 Code, repealed.—Sections 33-760 through 33-778.2, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R334, H1187)

No. 227

An Act To Repeal Section 33-783, Code Of Laws Of South Carolina, 1952, Permitting The Owners Of Certain Destroyed Bridges To Establish Temporary Ferries Across Rivers In This State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-783, 1952 Code, repealed.—Section 33-783, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R335, H1189)

No. 228

An Act To Repeal Section 37-109, Code Of Laws Of South Carolina, 1952, Relating To The Conduct Of Fire Insurance Business In This State By Foreign Insurance Companies.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-109, 1952 Code, repealed.—Section 37-109, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R336, H1190)

No. 229

An Act To Repeal Sections 39-61 Through 39-64, Code Of Laws Of South Carolina, 1952, Relating To The Purchase Of Land By The United States In This State As Sites For The Erection Of Arsenals And Magazines.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 39-61 through 39-64, 1952 Code, repealed.—Sections 39-61 through 39-64, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R337, H1191)

No. 230**An Act To Repeal Sections 44-401 Through 44-411, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of A State Council Of Defense.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 44-401 through 44-411, 1952 Code, repealed.—Sections 44-401 through 44-411, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R338, H1205)

No. 231**An Act To Establish A Bag Limit On Rabbits In Game Zone 3.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Limit on rabbits in Game Zone 3.—The bag limit for rabbits in Game Zone 3 shall be five per day.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R339, H1318)

No. 232**An Act To Repeal Sections 56-201, 56-203, 56-204 And 56-205, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of Auctioneers, Liability Of Purchasers Refusing To Comply With Purchase, Remedy Against Auctioneers By Owners And Responsibility By Auctioneers For Loss Of Goods Without Fault, Respectively.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 56-201 through 56-205, 1952 Code, repealed.—Sections 56-201, 56-203, 56-204 and 56-205, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R340, H1319)

No. 233

An Act To Repeal Section 56-503, Code Of Laws Of South Carolina, 1952, Relating To The Duty Of Prosecuting Attorneys For Violations Concerning Dentists, Dental Hygienists And Dental Laboratory Technicians.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-503, 1952 Code, repealed.—Section 56-503, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R341, H1320)

No. 234

An Act To Repeal Section 56-1317, Code Of Laws Of South Carolina, 1952, Relating To Limited Exemptions Of Country Merchants.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-1317, 1952 Code, repealed.—Section 56-1317, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R342, H1321)

No. 235

An Act To Repeal Section 58-731, Code Of Laws Of South Carolina, 1952, Relating To Publication Of Lists Of Persons In Railroad Business Not Incorporated By This State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-731, 1952 Code, repealed.—Section 58-731, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R343, H1322)

No. 236

An Act To Repeal Section 58-741, Code Of Laws Of South Carolina, 1952, Relating To Charging Or Collecting From Railroad Passengers Extra Compensation For Crossing Bridges.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-741, 1952 Code, repealed.—Section 58-741, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R344, H1323)

No. 237

An Act To Repeal Section 58-745, Code Of Laws Of South Carolina, 1952, Requiring Railroad Corporations To Pay Shop Employees Semimonthly.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-745, 1952 Code, repealed.—Section 58-745, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R345, H1387)

No. 238

An Act To Repeal Sections 66-351 Through 66-353, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Barrels Of Pork And Beef.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 66-351 through 66-353, 1952 Code, repealed.—Sections 66-351 through 66-353, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R346, H1388)

No. 239

An Act To Repeal Sections 66-361 Through 66-364, Code Of Laws Of South Carolina, 1952, Which Are Now Obsolete, Relating To Fraudulent Mixtures Of Rice.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 66-361 through 66-364, 1952 Code, repealed.—Sections 66-361 through 66-364, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R347, H1389)

No. 240

An Act To Amend Section 67-56, Code Of Laws Of South Carolina, 1952, Relating To Issuing Citations Against Trustees Removing From The State, So As To Eliminate Guardians And Committees From The Provisions Of This Section.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 67-56, 1952 Code, amended—citations against trustees who have moved from State.—Section 67-56, Code of Laws of South Carolina, 1952, is amended to read as follows: “Section 67-56. When any trustee changes his domicile to a place beyond the limits of this State or has been absent from the State for ten consecutive months, and such change or absence is made to appear to the satisfaction of the judge of probate of the county wherein the appointment was made, the judge of probate shall cite such trustee to account in person before him on a day named in the citation, which shall not be less than sixty days from the date thereof. The citation shall be served upon the absent trustee by publication forthwith once a week for four weeks in the newspaper in which the judge of probate publishes his official advertisements and a copy shall be mailed to the absent trustee at his place of residence, if it is known or can with reasonable diligence be ascertained.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R348, H1390)

No. 241

An Act To Repeal Section 70-8, Code Of Laws Of South Carolina, 1952, Which Is Now Obsolete, Relating To The Passage Of Vessels Under Bridges.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 70-8, 1952 Code, repealed.—Section 70-8, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R349, H1421)

No. 242**An Act To Prohibit The Destruction Of Sea Oat Plants Within Certain Areas; And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to destroy sea oat plants—penalties.—

It shall be unlawful for any person to cut, break or otherwise destroy sea oat plants or any part thereof on public property or on private property without the owner's consent. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined in an amount of not more than one hundred dollars nor less than ten dollars or imprisoned for a period of not more than thirty days nor less than five days. Each violation shall constitute a separate offense.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R350, H1439)

No. 243**An Act To Make Statutes Which Are Applicable To A County Containing A City, Or To A City, With A Population Of More Than Seventy Thousand According To The Latest United States Census, Applicable To A County Containing A City, Or To A City, Having Such Population As A Result Of Annexing Certain Areas When The Population Of The Areas Is Certified By The Bureau Of The Census.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain statutes to apply to municipalities whose populations are increased by annexation.—Whenever authority or direction is given by statute to a county containing a city, or to a city, having a population of more than seventy thousand according to the official United States Census or the latest United States Census, or words of similar import, such legislation shall be fully applicable to a

county containing a city, or to a city, having a population of more than seventy thousand as revealed by a determination of the population of areas annexed to such city after the date of a decennial census, where such determination of population is certified by the Bureau of the Census, by adding the certified population of such annexed areas to the officially certified population of such city.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R351, S226)

No. 244

An Act To Provide For The Renunciation Of Dower In Regard To Land Subject To Conveyance Or Mortgage By An Attorney In Fact.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Renunciation of dower on land to be conveyed or mortgaged under power of attorney.—The wife of any person executing a power of attorney authorizing his appointed attorney in fact to sell, convey or mortgage real estate in his name by deed, release or mortgage may, whether she be of lawful age or be a minor, release, renounce and bar herself of her dower in all premises described in the power of attorney which may thereafter be so conveyed or mortgaged under the terms of the power of attorney, by acknowledging upon a private and separate examination before a person authorized by law to administer oaths in this State, that she did freely and voluntarily, without any compulsion, dread or fear of any person whomsoever, renounce and release her dower, in such of the premises as may thereafter be conveyed or mortgaged under the terms of the power of attorney, to the grantee, his heirs and assigns.

SECTION 2. Form.—A certificate, under the hand of the wife and the seal of the person administering the oath shall be endorsed upon the power of attorney or upon a separate instrument wherein the power of attorney shall be specifically identified, in the form or to

the purpose hereafter following, and be recorded in the office of register of mesne conveyances or clerk of court in the county wherein the land lies:

“The State of South Carolina, _____ County

I, (*name and title of person before whom the renunciation is being taken*), do hereby certify unto all whom it may concern that (*name of person renouncing dower*) the wife of the (*name of renouncer's spouse*), did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the grantee, grantees, mortgagee or mortgagees whoever he may be, his heirs and assigns, to whom the premises described (in the within power of attorney) (or specific identification of the power of attorney if renunciation is in a separate document) or any part or parts thereof may be conveyed or mortgaged under the terms of such power of attorney, all her interest and estate and also all her right and claim of dower of, in or to all and singular the premises within mentioned and released.

Given under my hand and seal this _____ day of _____ 19____.

(Signature, Title & Seal of Person before whom renunciation is taken) (Signature of renouncer)”

SECTION 3. To be additional to other methods.—The provisions of this act are in addition to other methods provided by law for renunciation of dower.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

An Act To Amend Section 10-451, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Service Of Process, So As To Provide For Service In Proceedings For The Determination

Of Parental Rights On Nonresidents Or On Persons Upon Whom Service Cannot Be Had Within The State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-451, 1952 Code, amended—Items (6) and (7) added—when service of process may be made by publication—determinations of parental rights and certain annulment proceedings.—Section 10-451, Code of Laws of South Carolina, 1952, as amended, is further amended by adding new Items (6) and (7) which shall read as follows:

“(6) When the defendant is a party to a proceeding for the determination of parental rights and is either a nonresident or a person upon whom service cannot be had within the State after due diligence.

(7) When the defendant is a party to an annulment proceeding or where the subject of the matter involves the custody of minor children, support of minor children or wife, separate maintenance or a legal separation.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R353, H1740)

No. 246**An Act To Exempt The Property Of The Boys Of America Home In Greenville County From All County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Boys of America Home in Greenville County exempt from taxes.—The property of the Boys of America Home in Greenville County shall be exempt from county taxation so long as the property is used for the purposes for which it was organized.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R355, H1747)

No. 247

An Act To Create The Greenville County Library; To Provide A Governing Body Therefor And Define Its Powers And Duties; To Provide A Tax Levy For The Operation Of The Library And To Repeal Sections 42-411 Through 42-422, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Library District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville County Library created.—There is hereby created the Greenville County Library which shall have all the powers conferred upon it by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointments—terms—vacancies.—The library shall be controlled and managed by a board of trustees, seven in number, to be appointed by the Governor upon the recommendation of a majority of the Greenville County Legislative Delegation and to serve without pay. Four of the trustees of the Greenville County Library shall reside outside the corporate limits of the City of Greenville and the remaining three shall reside within the corporate limits of the city of Greenville. Members of the Board of Trustees of the Greenville County Library shall serve for terms of four years except of those first appointed after the effective date of this act, two shall serve for terms of one year, two shall serve for terms of two years, two shall serve for terms of three years and one shall serve for a term of four years or until their successors are appointed and qualify. No member of the board of trustees shall serve for more than two consecutive terms. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term and any member may be removed from office for cause by the appointing power.

SECTION 3. Officers—bonding of—meetings.—The board of trustees, after its election, shall elect a chairman, a vice chairman,

secretary and treasurer from its number and such other officers as may be deemed expedient. It shall make such rules and regulations for the conduct of its business not inconsistent with the law. The board may require from its treasurer and librarian a suitable bond for the faithful performance of their respective duties. The board shall meet at least six times annually and hold such other meetings as it deems necessary.

SECTION 4. Powers and duties.—The board shall have the entire and exclusive control and management of the Greenville County Library and shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be employed.

SECTION 5. Powers and duties—further.—The Greenville County Library may, by way of amplification and classification but without limiting the generality of powers conferred on it by Section 1: (1) purchase, lease, hold, and dispose of real estate and personal property; (2) acquire books and other informational material and provide for their circulation throughout each and every section of the county; (3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries; (4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals; (5) cooperate or enter into contracts with any State or Federal agency when by so doing it will receive substantial aid in carrying out the purposes of the library; and, (6) generally to do all things necessary and proper to establish, equip, maintain, and operate a county library system.

SECTION 6. Further.—The board of trustees shall provide and make available to the citizens of Greenville County good books and informational material. To that end the board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board, acquire books and other informational material, facilities and equipment, and make such rules and regulations, not inconsistent with law, as it may deem necessary to insure the effective and efficient maintenance and operation of a county library system. The board of trustees in establishing branches in the

various communities of the county shall require the community to furnish the building and upon completing this requirement the board will then be charged with the duty of providing books, personnel and other library facilities.

SECTION 7. Board members not to contract with board.—No member of the board of trustees shall contract with the board and any such attempted contract shall be void.

SECTION 8. Tax levy—collection and expenditure of.—For the support and maintenance of the county library system a levy of two and one-fourths mills annually is hereby laid upon all taxable property of Greenville County, to be levied annually by the county auditor and collected by the county treasurer. All funds collected by the county treasurer shall be turned over to the Board of Trustees of the Greenville County Library and it shall deposit these funds in an appropriate institution for the operation and maintenance of the Greenville County Library. The board of trustees is authorized to disburse these funds in such a manner as it may direct. The approval of the chairman of the Greenville County Library Board and the Treasurer of the Greenville County Library Board shall be necessary before any claim or voucher shall constitute a valid claim against the funds of the Greenville County Library. The Greenville County Library account shall be audited each year by a public accountant selected by the board of trustees.

SECTION 9. Reports.—The board of trustees shall annually, on or before September first of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its service, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the Clerk of Court for Greenville County and copies shall be furnished each member of the county legislative delegation, and the county board of commissioners.

SECTION 10. Repeal—Sections 42-411 through 42-422, 1952 Code, repealed.—Sections 42-411 through 42-422, Code of Laws of South Carolina, 1952, and all acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R360, H1556)

No. 248

An Act To Amend Section 6-495, Code Of Laws Of South Carolina, 1952, Which Exempts Certain Slaughtering Establishments From The Provisions Of Article 5, Chapter 5 Of Title 6, By Changing "Bureau Of Animal Industry" To "Animal Disease Eradication Division."

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-495, 1952 Code, amended—Bureau of Animal Industry changed to Animal Disease Eradication Division.—Section 6-495, Code of Laws of South Carolina, 1952, is amended by striking the words "Bureau of Animal Industry" where they appear on lines 4 and 6, and inserting in lieu thereof the words "Animal Disease Eradication Division", so that when amended the section shall read as follows :

"Section 6-495. The provisions of this article shall not apply to slaughtering establishments where an approved accredited veterinarian makes ante-and post-mortem examinations in accordance with the rules and regulations as set up by the Animal Disease Eradication Division, United States Department of Agriculture. The inspecting veterinarian shall be employed by either the local municipal authorities, this State or the Animal Disease Eradication Division, United States Department of Agriculture."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R361, H1558)

No. 249

An Act To Repeal Sections 3-161 Through 3-170, Code Of Laws Of South Carolina, 1952, Regulating The Sale And Use Of Insecticide And Fungicide, Which Sections Have Been Superseded By The South Carolina Economics Poison Law Of 1954.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 3-161 through 3-170, 1952 Code, repealed.—Sections 3-161 through 3-170, Code of Laws of South Carolina, 1952, regulating the sale and use of insecticide and fungicide, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R362, H1559)

No. 250

An Act To Repeal Section 22-217, Code Of Laws Of South Carolina, 1952, Prohibiting Compensation For Meetings Of The Board Of Trustees Of Clemson Agricultural College.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 22-217, 1952 Code, repealed.—Section 22-217, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R363, H1560)

No. 251

An Act To Repeal Sections 17-116 And 17-117, Code Of Laws Of South Carolina, 1952, Providing For The Examination Of Dead Bodies By Clemson Agricultural College And Requiring The College To Make Chemical Analyses Of Dead Bodies In Certain Cases As The Provisions Of These Sections Are No Longer Adhered To.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 17-116 and 17-117, 1952 Code, repealed.—Sections 17-116 and 17-117, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R364, H1561)

No. 252

An Act To Amend Section 6-411, Code Of Laws Of South Carolina, 1952, Requiring The State To Pay Portion Of Indemnity For Cattle Infected With Bang's Disease, So As To Change The Words "Bureau Of Animal Industry" To "Animal Disease Eradication Division."

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-411, 1952 Code, amended—Bureau of Animal Industry changed to Animal Disease Eradication Division.—Section 6-411, Code of Laws of South Carolina, 1952, is amended by changing the words "Bureau of Animal Industry" on the third line to "Animal Disease Eradication Division". The section when amended shall read as follows :

"Section 6-411. The State will cooperate with the Federal Government in paying indemnity for cattle owned in this State known to be infected with Bang's disease as a result of a test made by the Animal Disease Eradication Division, United States Department of Agriculture or by a graduate veterinarian licensed by the State Board of Veterinary Examiners of the State and The Clemson Agricultural College of South Carolina cooperating, in accordance with rules and regulations prescribed by said bureau and said college and whose owners agree to cooperate with the Federal Government and the State in the control and eradication of said disease. The State shall in no case pay as its portion of the indemnity for a grade animal a sum in excess of twenty-five dollars and for a pure-bred animal a sum in excess of fifty dollars. Nor shall any such animal be so appraised or paid for unless it be at least six months old and has been in good faith

owned and kept within the State for six months immediately before the killing. Such payment on the part of the State of South Carolina shall be made from such funds as may annually be made available to the livestock sanitary department of The Clemson Agricultural College of South Carolina for such purpose by the General Assembly of the State. The State Veterinarian shall, upon request, furnish to persons needing the same suitable blank forms to be used in certifying the result of any test made under the provisions hereof."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R365, H1562)

No. 253

An Act To Amend Section 6-341, Code Of Laws Of South Carolina, 1952, Providing For The Inoculation Against Cholera For Swine, So As To Change The Word "Virus" Appearing In The Second Sentence To "Vaccine".

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-341, 1952 Code, amended—word "virus" changed to "vaccine".—Section 6-341, Code of Laws of South Carolina, 1952, is amended by changing the word "virus" appearing in the second sentence to "vaccine". The section when amended shall read as follows :

"Section 6-341. All swine removed from any public livestock market, except those for immediate slaughter, shall be accompanied by an official receipt issued by the veterinarian treating the hogs, showing that the hogs have been properly inoculated against cholera. The receipt shall show the number of animals treated, the amount of serum and vaccine used and the cost of it. One copy of the receipt shall be forwarded on the date of sale to the State Veterinarian, Columbia, South Carolina."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R366, H1563)

No. 254

An Act To Amend Section 6-442, Code Of Laws Of South Carolina, 1952, Defining Approved Accredited Veterinarian, By Striking Out The Words "Chief, Bureau Of Animal Industry" And Inserting In Lieu Thereof The Words "Director Of Animal Disease Eradication Division."

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-442, 1952 Code, amended—Chief, Bureau of Animal Industry changed to Director of Animal Disease Eradication Division.—Section 6-442, Code of Laws of South Carolina, 1952, is amended by striking out the words "Chief, Bureau of Animal Industry" and inserting in lieu thereof the words "Director of Animal Disease Eradication Division" so that, when so amended, the section shall read as follows:

"Section 6-442. The words 'approved accredited veterinarian' shall be construed to mean a graduate veterinarian approved by the State Veterinarian and the Director of Animal Disease Eradication Division, United States Department of Agriculture, for the testing of cattle intended for interstate shipment."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R367, H1564)

No. 255

An Act To Amend Section 6-445, Code Of Laws Of South Carolina, 1952, Authorizing The State Veterinarian To Set Up A Program For Vaccination Of Calves, By Striking Out The Words

“United States Bureau Of Animal Industry” And Inserting In Lieu Thereof The Words “Animal Disease Eradication Division, United States Department Of Agriculture.”

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-445, 1952 Code, amended—United States Bureau of Animal Industry changed to Animal Disease Eradication Division, United States Department of Agriculture.—Section 6-445, Code of Laws of South Carolina, 1952, is amended by striking out the words “United States Bureau of Animal Industry” and inserting in lieu thereof the words “Animal Disease Eradication Division, United States Department of Agriculture” so that, when so amended, the section shall read as follows:

“Section 6-445. The State Veterinarian may set up a program for the vaccination of calves between the ages of four and twelve months, and older cattle, with Brucella vaccine in accordance with the recommendations of the Animal Disease Eradication Division, United States Department of Agriculture. Such vaccination shall be done under the rules and regulations promulgated by the board of trustees of The Clemson Agricultural College of South Carolina.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repelaed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R368, H1575)

No. 256

An Act To Amend Act No. 898 Of 1952, As Amended, Relating To Hunting Licenses, So As To Increase The Nonresident Hunter's License Fee From Twenty Dollars And Twenty-five Cents To Twenty-Two Dollars And Twenty-Five Cents; To Increase The Temporary Nonresident Hunter's License Fee From Ten Dollars And Twenty-Five Cents To Eleven Dollars And Twenty-Five Cents And To Provide For The Disposition Of Such License Fee Increases.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 35 (a) of Act 898 of 1952 amended—hunting licenses—fees—disposition of.—Section 35. (a) of Act No. 898 of 1952, as amended, is further amended by adding on line 17 of Act 401 of 1957 after the word “twenty” the following: “-two”; by striking on line 19 the word “ten” and inserting in lieu thereof the word “eleven”, and by adding at the end thereof the following proviso: “*Provided*, that one dollar of each nonresident hunter’s license fee collected and fifty cents of each temporary nonresident hunter’s license fee collected shall be used by the South Carolina Wildlife Resources Department for propagation, management and control of ducks and geese in South Carolina and a like portion of such license fees shall be contributed by the South Carolina Wildlife Resources Department to proper agencies in Canada for propagation, management and control of ducks and geese.” so that the section when amended shall read as follows:

“Section 35.(a) For the privilege of hunting throughout the State by residents of the State, a statewide license shall be issued for a fee of four dollars and twenty-five cents, of which amount twenty-five cents shall be retained by the issuing agent. For the privilege of hunting only in the county of which the hunter is a resident, a county license shall be issued upon payment of a fee of one dollar and thirty-five cents, of which amount ten cents shall be retained by the issuing agent. No holder of a county license only shall hunt in any county of which he is not a resident. Resident landowners and lessees of lands and members of their families hunting on the lands owned or leased by them shall not be required to procure any such license, but this shall not apply to the lessees of hunting rights only. The term members of their families means members of the landowner’s or lessee’s family living in the same household with him. Every nonresident of the State shall pay a hunter’s license fee of twenty-two dollars and twenty-five cents for the privilege of hunting in the State during any one season or eleven dollars and twenty-five cents for a temporary license, of which amount twenty-five cents shall be retained by the issuing agent. Any such temporary license shall be valid for a period of three specified consecutive days. *Provided*, that one dollar of each nonresident hunter’s license fee collected and fifty cents of each temporary nonresident hunter’s license fee collected shall be used by the South Carolina Wildlife Resources Department for propagation, management and control of ducks and geese in South Carolina and a like portion of such license fees shall be contributed by the South

Carolina Wildlife Resources Department to proper agencies in Canada for propagation, management and control of ducks and geese.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R369, H1588)

No. 257

An Act To Amend Section 6-455, Code Of Laws Of South Carolina, 1952, Authorizing The Clemson Agriculture College To Cooperate With The United States Department Of Agriculture In The Control And Eradication Of Brucellosis, So As To Delete “United States Bureau Of Animal Industry” And Insert In Lieu Thereof The “Animal Disease Eradication Division, United States Department Of Agriculture”; And To Change “Livestock Sanitary Department” To “Livestock And Poultry Health Department”.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-455, 1952 Code, amended—United States Bureau of Animal Industry changed to Animal Disease Eradication Division, United States Department of Agriculture.—Section 6-455, Code of Laws of South Carolina, 1952, is amended, by striking out the words “United States Bureau of Animal Industry” and inserting in lieu thereof the words “Animal Disease Eradication Division, United States Department of Agriculture”; and to change “livestock sanitary department” to “Livestock and Poultry Health Department”, so that when amended the section shall read as follows: “Section 6-455. The Livestock and Poultry Health Department of The Clemson Agricultural College of South Carolina may cooperate with the United States Department of Agriculture in the control and eradication of brucellosis. Said Livestock and Poultry Health Department may appoint and commission, without salary from the State, as its inspectors, representatives of the Animal Disease Eradication Division, United States Department of Agriculture and may accept

from the United States Government such assistance, financial and otherwise, for carrying out the purpose of this article, as may be available from time to time."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R370, H1606)

No. 258

An Act To Amend Act No. 360 Of The Acts Of 1957, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Public Shooting Preserves In Game Zone No. 6 On All Types Of Pen Raised Game.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 360 of 1957 amended—Section 3.3 added—season for shooting preserves in Game Zone 6.—Act No. 360 of the Acts of 1957, as amended, is further amended by adding a new section to be known as Section 3.3 which shall read as follows :

"Section 3. 3. In Game Zone No. 6 within the boundaries of public shooting preserves licensed by authority of this act, the open season on all types of pen raised game shall be from October first of any year to April first of the following year. The provisions of this act are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R373, H1669)

No. 259

An Act To Add An Article To Chapter 4 Of Title 51, Code Of Laws Of South Carolina, 1952, So As To Create The Hartsville Community Center Building Commission Of Hartsville Township In Darlington County, To Set Forth Its Membership And To Provide For Its Powers And Duties, To Ratify All Previous Acts Of The Commission; And To Repeal Act No. 1046 Of The Acts Of 1934.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 4, Title 51, 1952 Code, amended—new article added—Hartsville Community Center Building Commission created.—The Code of Laws of South Carolina, 1952, is amended by adding the following new article to Chapter 4 of Title 51 to read as follows:

“Article

Section 1. There is created and established a Commission for Hartsville Township, Darlington County, to be known as the Hartsville Community Center Building Commission.

Section 2. The commission shall be composed of three individuals who shall reside in Hartsville Township and be qualified electors of Darlington County. They shall be appointed and commissioned by the Governor upon the recommendation of a majority of the Darlington County Legislative Delegation. One shall be appointed for an initial term ending on the first day of April, 1962, one for an initial term ending on the first day of April, 1964, and one for an initial term ending on the first day of April, 1966, or until their successors shall have been appointed and qualified. Upon the expiration of the respective terms of the original commissioners, their successors shall be appointed and commissioned by the Governor upon the recommendation of a majority of the Darlington County Legislative Delegation for terms of six years. In case of a vacancy, it shall be filled by appointment for the unexpired term only. Upon appointment and qualification, the commissioners shall organize by electing one of their members as chairman and another as secretary. The members chosen as chairman and secretary shall serve in such capacities until the expiration of their respective terms or until the sooner termination of their services as commissioners, except that the commissioners by vote of two-thirds of the entire commission

may at any time effect changes in the offices of chairman and secretary.

Section 3. The commission shall have the following powers and duties:

(a) To acquire by donation, purchase or lease suitable sites for the location and erection of community center buildings in the Town of Hartsville;

(b) To receive and accept title to these sites in the name of Hartsville Community Center Building Commission, their successors in office and assigns;

(c) To cause to be prepared by a competent architect appropriate plans and specifications for the erection, construction and equipping on the sites of community center buildings;

(d) To authorize the erection on the building sites buildings conforming substantially with the plans and specifications procured;

(e) To pay for the land acquired, services of architects and engineers and such other expenses as may be necessary connected with the erection, construction and equipping of the buildings, including necessary legal expenses and to pay for the same out of revenue funds of the commission, or by the issuance of warrants on the Treasurer of Darlington County, to be payable out of the special account or accounts provided for this purpose;

(f) To have charge and control of the management of the Hartsville Community Center Buildings, with the authority to enter into contracts and agreements with persons for the purpose of using or leasing all or portions of any of the buildings;

(g) To fix and determine the rental or charges to be paid by any lessees and to collect and receive the rentals or charges so made;

(h) To provide and enforce reasonable rules and regulations for the conduct of the management and for the use of the buildings and to purchase such materials and supplies as may be necessary for the efficient operation, maintenance and repair of any of the buildings;

(i) To receive and accept donations of land, buildings, labor, services, materials, furnishings and equipment for the erection, construction and equipping of any buildings; and

(j) To make application to any State or Federal Department or agency for gifts or grants to be used in connection with acquiring sites for buildings, furnishings, equipping and constructing any buildings and to accept any grants, loans or gifts therefrom.

Section 4. All funds received by the commission for the use of any buildings shall be deposited to the credit of the commission in a special account or accounts in a bank or banks which shall be members of the Federal Reserve System. Necessary expenditures for the efficient operation, maintenance and repair of the buildings and expenses incurred, as authorized in this act, shall be paid by check or draft against the account or accounts, on the authorization of the commission and over the signature of the secretary or the clerk and countersigned by the chairman or another member of the commission. The commission shall keep and maintain a complete and accurate record of all rents and revenues for the use of any buildings, as well as of all expenditures for the operation, maintenance and repair of the same.

Section 5. In addition to the amount of rents and revenues collected and available from the use of any buildings sufficient to pay the outstanding bonded indebtedness of any bonds heretofore issued pursuant to Act No. 1046 of the Acts of 1934 and any interest thereon, the Auditor of Darlington County is required to levy annually upon all of the taxable property in Hartsville Township such millage as the commission may direct. The amount collected under the tax levy herein authorized shall be collected by the treasurer of the county and deposited by the treasurer in a special account in a bank or banks and shall only be withdrawn on warrants of the commission.

Section 6. The commission shall make an annual report to the Darlington County Legislative Delegation setting forth in detail all receipts on account of the use of the Hartsville Community Center Buildings and of all expenditures made or incurred, and shall from time to time make recommendations to the delegation relative to matters connected with the construction, operation, management and repair of the building, relative to income therefrom and relative to the payment of indebtedness against the buildings.

Section 7. The members of the commission shall receive no compensation for their services, but shall be reimbursed for all actual and necessary expenses in connection with their duties. The commission shall have authority to employ such clerical and other assistance as it may find necessary in the performance of the duties of the commission. Each of the commissioners shall enter into a bond of two thousand dollars for the faithful performance of their duties, the premiums on such bonds shall be paid from commission funds."

SECTION 2. Previous action of commission validated.—All previous acts of the Hartsville Community Center Building Commission are hereby ratified and validated.

SECTION 3. Repeal—Act 1046 of 1934 repealed.—Act No. 1046 of the Acts of 1934 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R374, H1690)

No. 260

An Act To Amend Section 22-304, Code Of Laws Of South Carolina, 1952, Relating To The Election Of Members Of The Board Of Visitors Of The Citadel, So As To Provide For The Filling Of Certain Vacancies On The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 22-304, 1952 Code, amended—Board of visitors of The Citadel—vacancies—age limit.—Section 22-304, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following :

“Section 22-304. The General Assembly shall hold an election to fill vacancies during the session immediately preceding the expiration of terms and as necessary to fill vacancies of unexpired terms, except that vacancies of unexpired terms of members elected by the Association of Citadel Men shall be filled in the same manner as is provided for by Section 22-302. No elective member shall be elected or re-elected either by the General Assembly or by the Association of Citadel Men to fill any term of office the duration of which shall extend beyond the member's seventy-fifth birthday.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R376, H1711)

No. 261

An Act To Authorize The Town Of Central In Pickens County To Contract To Furnish Water Or Sewage Service To Any Person Within Or Without The City For A Period Not To Exceed Fifty Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Central may furnish water.—The Town of Central may, through its proper officials, enter into a contract with any person, within or without its corporate limits, to furnish such person water, or sewage disposal facilities, upon such terms, rates, and charges as may be fixed by contract between the parties, when in the judgment of its officials it is best for the interests of the municipality to do so. No such contract shall be for a longer period than fifty years, but any such contract may be renewed from time to time for periods not exceeding fifty years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R379, H1746)

No. 262

An Act To Enlarge The Authority Of The Pickens Soil Conservation District, So As To Authorize The Right Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens Soil Conservation District may acquire land and rights of way.—In addition to the authority granted under Chapter 2, Article 6, Title 63, Code of Laws of South Carolina, 1952, the Pickens Soil Conservation District is hereby authorized to acquire such lands or rights of way as are necessary for any authorized function of the district, including the acquisition of necessary land for flood water retarding structures, flood plain boundaries, and stream channel improvements, and to construct, repair, enlarge, im-

prove, operate and maintain such works of improvement within the Twelve Mile Creek (Pilot) Project; *provided*, however, there shall be no right of eminent domain unless at least ninety percent of the required easements, rights of way and permits for any one flood water retarding structure or a unit of stream channel improvement have been acquired by the Pickens Soil Conservation District for such works of improvements.

SECTION 2. Appeals.—Any person who feels aggrieved because of condemnation proceedings carried out under the provisions of this act shall have the right to appeal to the circuit court.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R380, H1749)

No. 263

An Act To Amend Act No. 79 Of The Acts And Joint Resolutions Of The General Assembly Of 1955, As Amended, Relating To The Operation, Maintenance And Financing Of The Public Schools Of Union County, So As To Further Provide For The Millage To Be Levied.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 13 of Act 79 of 1955 amended — Union County Board of Education to estimate funds for educational program tax levy.—Section 13 of Act No. 79 of 1955, as amended, is further amended by striking out the words “thirty-two” and inserting in lieu thereof the words “thirty-seven”, so that when so amended Section 13 shall read as follows:

“Section 13. The county board of education shall annually estimate the funds necessary to carry on an efficient educational program for Union County and the tax millage necessary to provide such funds; and shall certify its findings to the Legislative Delegation of Union County in budget form. The delegation may make any changes in such budget that it desires to make and a majority of the delegation,

including the Senator, shall certify to the county auditor the necessary millage to raise the funds to meet such budget as finally determined. The auditor shall then levy the millage on all the taxable property in Union County; *provided*, however, that the millage so certified and levied shall not exceed thirty-seven mills annually exclusive of millage for the retirement of bond issues. The county treasurer shall collect the taxes so levied as and when other property taxes are collected."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R381, H1753)

No. 264

An Act To Amend Section 65-1952, Code Of Laws Of South Carolina, 1952, Relating To Bonds Of County Treasurers So As To Further Provide For The Bond For The Treasurer And Any Assistant In Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection 2 of Section 65-1952, 1952 Code, amended—Hampton County deleted therefrom.—Subsection (2) of Section 65-1952, Code of Laws of South Carolina, 1952, is amended by striking the words "and Hampton Counties" and inserting in lieu thereof the word "County", so that when so amended the subsection shall read as follows:

"(2) Bamberg County shall be fifteen thousand dollars;"

SECTION 2. Section 65-1952, 1952 Code, amended—subsection (8) added—Hampton County—bond of treasurer or assistant.—Section 65-1952, Code of Laws of South Carolina, 1952, is further amended by adding a new subsection to read as follows:

"(8) Hampton County shall be not less than thirty thousand dollars; any assistant employed in the office of the county treasurer shall give bond for the sum of not less than twenty thousand dollars."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R383, H1095)

No. 265

An Act To Amend Section 10-1731, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Judicial Process In Aid Of Satisfaction Of Judgments, So As To Extend Such Process To The Application Of Certain Property Of The Judgment Debtor To The Satisfaction Of The Judgment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-1731, 1952 Code, amended—judge may order certain property or earnings of judgment debtor to be applied towards satisfaction of judgment.—Section 10-1731, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 10-1731. The judge may order any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person or due to the judgment debtor, to be applied towards the satisfaction of the judgment, except that the earnings of the debtor for his personal services at any time within sixty days next preceding the order cannot be so applied when it is made to appear by the debtor’s affidavit or otherwise that such earnings are necessary for the use of a family supported wholly or partly by his labor. *Provided*, that notwithstanding the above limitations, an amount not exceeding fifteen per cent of the judgment debtor’s wages, salary, fees or commissions due or to become due under any existing contract of employment may be immediately ordered, in the discretion of the judge, to be so applied when the judgment is for the balance due upon food, fuel or medicine accounts, but no more than one hundred dollars may be so applied to any such judgment. In exercising such discretion the judge shall take into special consideration the needs of the debtor’s family as well as the rights of the creditor.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R384, H1239)

No. 266

An Act To Prohibit The Use In Telephonic Communications Of Indecent Words; To Provide A Penalty For Violation; And To Provide For The Venue Of Such Prosecution.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to use indecent words over telephone.—It shall be unlawful for any person to use in telephonic communications any lewd, lascivious or indecent words or language.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, be subject to a fine of not more than five hundred dollars and imprisonment for not more than six months.

SECTION 3. Venue.—Venue for prosecution pursuant to the provisions of this act shall be either in the county wherein the telephonic communication originated or the county where it was received.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R385, H1269)

No. 267

An Act To Amend Section 28-861.1, Code Of Laws Of South Carolina, 1952, Relating To The Open Season For Trawling For Shrimp Or Prawn In Certain Areas, So As To Further Define Such Areas.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraph (1) of Section 28-861.1, 1952 Code, amended—open season for trawling for shrimp or prawn in certain defined areas.—Paragraph (1) of Section 28-861.1, Code of Laws of South Carolina, 1952, is amended to read as follows:

“(1) In that area of Calibogue Sound beginning at a proposed marker (SC 1) at latitude 32-07.1 N. and longitude 80-50.4 W.; thence in a generally northerly direction along the shore line of Daufuskie Island to a point opposite Haig Point Lighthouse; thence in a northerly direction across the mouth of the Cooper River and along the western shore of Calibogue Sound to a point at the mouth on the western bank of Bryan Creek (excluding Bryan’s Creek); thence turning and running in a northeasterly direction to a point on the southwesternmost point of Marsh Island; thence following the southern and eastern shore line of Marsh Island to a point at the northeasternmost tip of Marsh Island; thence turning and running due east to a point on Bram Point; thence turning and running in a southwesterly direction along the western shore line of Bram Point and the extension thereof to flashing light No. 31 and thence in a southwesterly direction along the shore line of Buck Island and the extension thereof (excluding Broad Creek) to a proposed marker (SC 2) located on Bradock’s Point, latitude 32-07.1 N. and longitude 80-49.6 W.”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R386, H1377)

No. 268

An Act To Amend Section 7 Of Act No. 898 Of 1952, Which Permits Certain Orphans To Fish Or Hunt Without A License, So As To Include All Blind Residents Of This State And Boy Or Girl Scouts Under The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 7 of Act 898 of 1952 amended—certain orphans, scouts or blind persons may fish or hunt without licenses.—Section 7 of Act No. 898 of 1952 is amended by striking it out and inserting in lieu thereof the following:

“Section 7. All blind residents of this State and all orphans of any orphanage or other eleemosynary institution of this State and any boy or girl scout may hunt or fish within any county in this State without obtaining a license to do so; *provided*, that such blind person or the superintendent or person in charge of such institution or scouts shall first apply to the director for a permit allowing them to hunt or fish, giving the names of each and the name of the institution or troop. The superintendent or person in charge of such orphans or scouts shall accompany them on the hunting or fishing trip for which the permit is granted. The director is hereby authorized to issue such permit when the above conditions have been complied with.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R387, H1445)

No. 269

An Act To Add Section 68-5 To The Code Of Laws Of South Carolina, 1952, So As To Define The Average Weekly Wage Of An Insured Worker Within The Meaning Of The Unemployment Compensation Act; To Amend Sections 68-102, As Amended, 68-104, As Amended, 68-114, As Amended, 68-176, As Amended, 68-253, As Amended, Code Of Laws Of South Carolina, 1952, Relating To The South Carolina Unemployment Compensation Law, So As To Redefine Insured Worker, Revise The Weekly Benefit Amount, Revise The Disqualification Provisions And Add A Disqualification For Voluntary Retirement, To Adjust Employer Contribution Rates To Protect The Solvency Of The Fund And To Provide For The Termination Of Coverage Of A Predecessor Employer Whose Experience Rating Reserve Was Transferred To A Successor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 68-5 added—determination of average weekly wage.—The Code of Laws of South Carolina, 1952, is amended by adding the following new section to read as follows :

“Section 68-5. The average weekly wage of an insured worker shall be determined by dividing his total wages paid for insured work in that quarter of his base period in which such wages were highest by thirteen.”

SECTION 2. Section 68-102, 1952 Code, amended—“insured worker” defined.—Section 68-102, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following :

“Section 68-102. An ‘insured worker’ is an individual who has been paid wages in his base period for insured work equal to or exceeding one and one-half times the total of his wages paid in the quarter of such base period in which his wages for insured work were highest; *provided*, however, that no individual shall qualify as an insured worker unless he has been paid at least three hundred dollars in his base period for insured work and one hundred eighty dollars in that quarter of his base period in which such wages were highest.”

SECTION 3. Section 68-104, 1952 Code, amended—weekly benefit amount.—Section 68-104, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following :

“Section 68-104. An insured worker’s weekly benefit amount shall be fifty per cent of his average weekly wage, as defined in Section 68-5, and such weekly benefit amount, if not a multiple of one dollar, shall be computed to the next higher multiple of one dollar; *provided*, however, that no insured worker’s weekly benefit amount shall be less than ten dollars nor greater than the maximum weekly benefit amount as determined by the Commission on or before June thirtieth of each year in accordance with the following provisions :

Total wages paid by employers as defined in Section 68-11 in the preceding calendar year shall be divided by the average employment reported by the employers for the calendar year to obtain the average annual wage. The average annual wage thus obtained shall be divided by 104 (2 x 52 weeks) to determine the maximum weekly benefit amount and such amount, if not a multiple of one dollar, shall be

computed to the next higher multiple of one dollar. The maximum weekly benefit so determined shall be effective for benefit years beginning on or after July first of the current calendar year and prior to July first of the succeeding calendar year."

SECTION 4. Section 68-114, 1952 Code, amended—disqualifications for benefits.—Section 68-114, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-114. Any insured worker shall be ineligible for benefits:

(a) *Leaving work voluntarily.* If the commission finds that he has left voluntarily without good cause his most recent work prior to filing a request for determination of insured status or a request for initiation of a claim series within an established benefit year, with such ineligibility beginning with the effective date of such request and continuing not less than one nor more than the next five consecutive weeks (in addition to the waiting period), as determined by the commission according to the circumstances in the case; and, if the commission determines that the circumstances warrant, it may in its discretion cause to be charged against the benefits to which the insured worker is entitled under Section 68-105 an amount not to exceed his weekly benefit amount multiplied by the number of weeks of his disqualification.

(b) *Discharge for misconduct.* If the commission finds that he has been discharged for misconduct connected with his most recent work prior to filing a request for determination of insured status or a request for initiation of a claim series within an established benefit year, with such ineligibility beginning with the effective date of such request, and continuing not less than five nor more than the next twenty-two consecutive weeks (in addition to the waiting period), as determined by the commission in each case according to the seriousness of the misconduct and if the commission finds that the misconduct for which the insured worker was discharged was aggravated it may in its discretion cause to be charged against the benefits to which the insured worker is entitled under Section 68-105 an amount not to exceed his weekly benefit amount multiplied by the number of weeks of his disqualification. *Provided*, no charge of misconduct shall be made for failure to meet production requirements unless such failure is occasioned by wilful failure or neglect of duty.

(c) *Failure to accept work.* If the commission finds that he has failed, without good cause, (1) either to apply for available suitable work, when so directed by the employment office or the commission, (2) to accept available suitable work when offered him by the employment office or the employer or (3) to return to his customary self-employment (if any) when so directed by the commission, such ineligibility shall continue for a period of five weeks (the week in which such failure occurred and the next four weeks in addition to the waiting period); as determined by the commission according to the circumstances in each case and, if the commission determines that the circumstances warrant, it may in its discretion cause to be charged against the benefits to which the insured worker is entitled under Section 68-105 an amount not to exceed his weekly benefit amount multiplied by the number of weeks of his disqualification. In cases of repeated refusal to accept suitable work the commission may extend the ineligibility until the individual submits satisfactory evidence of having been re-employed and of his having earned wages of not less than eight times his weekly benefit amount as provided in Section 68-104.

(i) In determining whether or not any work is suitable for an individual, the commission shall consider the degree of risk involved to his health, safety and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation and the distance of the available work from his residence.

(ii) Notwithstanding any other provisions of this Title, no work shall be deemed suitable and benefits shall not be denied under this Title to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) if the position offered is vacant due directly to a strike, lockout or other labor dispute, (b) if the wages, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality or (c) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

(d) *Labor Dispute.* For any week with respect to which the commission finds that his total or partial unemployment is directly due to a labor dispute in active progress in the factory, establishment or other premises at which he was last employed; *provided*, that this

paragraph shall not apply if it is shown to the satisfaction of the commission that:

(1) He is not participating in, financing or directly interested in such labor dispute; and

(2) He does not belong to a grade or class of workers of which, immediately before he became unemployed by reason of such dispute, there were members employed at the premises at which the dispute exists, any of whom are participating in or directly interested in such dispute.

Provided, further, that if in any case separate branches of work, which are commonly conducted as separate businesses in separate premises, are conducted in separate departments of the same premises, each such department shall for the purpose of this item (d) be deemed to be a separate factory, establishment or other premises.

(e) *Receiving benefits elsewhere*. For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of another state or of the United States; *provided*, that if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) *Voluntary retirement*. If the commission finds that he voluntarily retired from his most recent work with such ineligibility beginning with the effective date of his retirement and continuing for the duration of his unemployment and until the individual submits satisfactory evidence of having been re-employed and of his having earned wages of not less than eight times his weekly benefit amount as provided in Section 68-104."

SECTION 5. Section 68-176, 1952 Code, amended—statewide reserve ratio—employer's rate.—Section 68-176, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-176. A statewide reserve ratio shall be computed once each year by adding to the total unemployment compensation fund on June thirtieth all contributions and interest received on or before July thirty-first and dividing the result so obtained by the sum of the total wages reported by employers on all contribution reports received by the commission during the twelve month period ending September thirtieth. Any amount credited to the State's account under Section 903 of the Social Security Act, as amended, which has been ap-

propriated for expenses of administration, whether or not withdrawn from the trust fund, shall be excluded from the unemployment fund balance in computing the statewide reserve ratio. When the statewide reserve ratio computed during any calendar year equals or exceeds five per cent, contribution rates applicable to the following calendar year shall be computed in accordance with Sections 68-174 and 68-175. When the statewide reserve ratio computed during any calendar year is less than five per cent, all contribution rates applicable to the following calendar year shall be increased over those computed in accordance with Sections 68-174 and 68-175 by the following:

(a) Thirty-five hundredths of one per cent if the statewide reserve ratio equals or exceeds four and one-half per cent but is less than five per cent;

(b) Seven-tenths of one per cent, if the statewide reserve ratio equals or exceeds four per cent but is less than four and one-half per cent;

(c) One and five hundredths per cent, if the statewide reserve ratio is less than four per cent.

Provided, however, that no employer's rate shall exceed two and seven-tenths per cent by reason of the application of this section."

SECTION 6. Section 68-253, 1952 Code, amended—termination of coverage.—Section 68-253, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following:

"Section 68-253. Except as otherwise provided in Section 68-252, an employing unit shall cease to be an employer subject to this Title as of the first day of January of any calendar year only if it files with the commission by the thirtieth day of April of such year an application for termination of coverage and the commission finds that there were no twenty different weeks within the preceding calendar year within which such employing unit had four or more individuals in employment subject to this Title; *provided*, that any employer who shall have rendered no employment and paid no wages in the State for a continuous period of one calendar year may submit an application for termination of coverage upon the resumption of employment in the State. *Provided*, further, that when a successor employer acquired substantially all of the business of a predecessor employer and the experience rating reserve of the predecessor is transferred to the successor, the liability of the predecessor may be termi-

nated at the end of the calendar year during which such succession occurred, provided there are no twenty different weeks in such calendar year, subsequent to the date of succession, during which the predecessor employed four or more individuals.

For the purpose of this section, the two or more employing units mentioned in items (2) and (3) of Section 68-11 shall be treated as a single employing unit."

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect on June 30, 1961.

Approved the 10th day of May, 1961.

(R388, H1465)

No. 270

An Act To Amend Act 360 Of 1957, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Shooting Preserves In Game Zones Nos. 2 And 3 On All Types Of Pen-Raised Game.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 360 of 1957 amended—Section 3.3 added—season for shooting preserves in Game Zones 2 and 3.—Act 360 of 1957, as amended, is further amended by adding a new section, to be known as Section 3.3, which shall read as follows:

"Section 3.3. In Game Zones Nos. 2 and 3 within boundaries of shooting preserves licensed by authority of this act, the open season on all types of pen-raised game shall be from October first of any year to April first of the following year. The provisions of this act are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R389, H1491)

No. 271

An Act To Amend Act No. 667 Of The Acts Of 1956, As Amended, Authorizing The Director Of The Division Of Game Of The Wildlife Resources Department To Make Special Studies In Game Zone 2, And Authorizing The Director To Declare Open Seasons In Killing Deer And Turkey In Game Zone 2, So As To Include Game Zone 4 Under The Provisions Of This Act; And To Repeal Act No. 727 Of The Acts Of 1958.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Preamble of Act 667 of 1956 amended—Game Zone 4 included.—The preamble appearing between the title and enacting words in Act No. 667 of the Acts of 1956 is amended to read as follows:

“Whereas, the South Carolina Wildlife Resources Department has already restocked deer and wild turkey in several locations in Game Zones 2 and 4, and expects to stock these deer and turkey in additional locations in these zones in the near future; and

Whereas, it is expected that these deer and turkey will become well established and produce a harvestable surplus in some of the areas within a short time; and

Whereas, the harvesting of these deer and turkey will need very close study and supervision. Now, therefore,”.

SECTION 2. Section 1 of Act 667 of 1956 amended—Wildlife Resources Department may make studies of and declare open seasons on deer and turkey in Game Zones 2 and 4.—Section 1 of Act No. 667 of the Acts of 1956, as amended, is further amended by striking out on line 3 the following words “Zone No. 2” and inserting in lieu thereof the following words “Zones 2 and 4”. The section when amended shall read as follows:

“Section 1. The Director of the Division of Game of the Wildlife Resources Department shall have the authority to make special studies of the areas in Game Zones 2 and 4 which have been restocked with deer and wild turkey, and may, after careful study, declare open seasons of such duration as he deems advisable for the taking of these deer and turkey, provided that the Director may not open the deer season except at any time between October first and January first, and the turkey season except at any time between the day before Thanksgiving and April fifteenth.”

SECTION 3. Section 2 of Act 667 of 1956 amended—methods and regulations for taking deer and turkey.—Section 2 of Act No. 667 of the Acts of 1956 is amended by striking out the word “Zone” on line 3 and inserting in lieu thereof the word “Zones”. The section when amended shall read as follows:

“Section 2. The Director may, at his discretion, prescribe the methods by which the deer and turkey may be taken and may fix the specific areas of the Zones in which the deer and turkey have become numerous enough to be harvested. All areas that are not specifically open to hunting shall be closed. He may designate the sex of the deer and turkey that may be taken and may prescribe any other regulations that may be deemed wise and expedient for the proper control of the harvesting of the deer and turkey.”

SECTION 4. Repeal—Act 727 of 1958 repealed.—Act No. 727 of the Acts of 1958 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R390, H1101)

No. 272

An Act To Add A New Subsection To The Code Of Laws Of South Carolina, 1952, Which Shall Be Known As Subsection (7), Of Section 65-258, Code Of Laws Of South Carolina, 1952, Relating To The Definition Of “Adjusted Gross Income” For Certain Purposes, So As To Allow, As Exclusions From Adjusted Gross Income, Certain Portions Of Amounts Received By An Employee As Distributions From An Employees’ Trust Exempt From Taxation Under Section 65-226(9) Of The Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-258, 1952 Code, amended—subsection (7) added—“adjusted gross income” defined.—Section 65-258, Code of Laws of South Carolina, 1952, as amended, is further amended by adding a new subsection, to be known as subsection (7), to read as follows:

“(7) (a) Any amount received by an employee from an employees’ trust exempt from taxation under Section 65-226(9) of the Code of Laws of South Carolina, 1952, to the extent that such amount does not exceed the employee’s contributions to the trust.

(b) One-half of all amounts received by an employee, in excess of his own contributions thereto, from an employees’ profit-sharing trust exempt from taxation under Section 65-226(9) of the Code of Laws of South Carolina, 1952, where such amounts are received within one taxable year of the employee on account of the employee’s disability, death or separation from service, and where such amounts constitute the total of all amounts which the employee is entitled to receive from the trust.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall be effective upon approval by the Governor, however, it shall be effective with respect to income earned on and after January 1, 1961.

Approved the 10th day of May, 1961.

(R391, H1188)

No. 273

An Act To Repeal Section 33-1622, Code Of Laws Of South Carolina, 1952, Relating To The Regulation Of The Business Of Hauling For Hire With Teams And Wagons In Fairfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-1622, 1952 Code, repealed.—Section 33-1622, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R392, H1216)

No. 274

An Act To Amend Act No. 311 Of 1959, As Amended By Act No. 803 Of The Acts And Joint Resolutions Of The General As-

sembly Of 1960, Relating To Motor Vehicle Liability Policies And The Uninsured Motorists Fund, So As To Provide That No Person Shall Be Required To Pay The Uninsured Motorists Fee More Than Once During Any License Year.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (a), Section 15 of Act 311 of 1959 amended—persons registering uninsured motor vehicles to pay fee.—Act No. 311 of 1959, as amended by Act No. 803 of 1960, is further amended by adding to Subsection (a) of Section 15 the following proviso:

“Provided, that credit for payment made on a motor vehicle subsequently transferred during the same licensing year shall be applied to any motor vehicle thereafter registered by such uninsured motorist during the same licensing year.”, so that when amended the subsection shall read as follows:

*“(a) In addition to any other fees prescribed by law, every person registering and licensing an uninsured motor vehicle, as hereinafter defined, in this State for or during the registration and license year commencing November 1, 1960, and each registration year thereafter, shall pay, at the time of registering and licensing the same, a sum to be fixed by the Insurance Commissioner, which sum shall not exceed twenty dollars, the amount of said sum to be determined by the said Commissioner in accordance with sound actuarial principles. The Highway Department is authorized to require that any person applying for licensing and registration of a motor vehicle shall certify under the penalties set forth in paragraph (b) of this section whether or not each such motor vehicle is an insured motor vehicle as herein defined; or the Highway Department may, in its discretion, require that such person produce as evidence of financial responsibility a certificate, in form prescribed by the said Department, of insurance or self-insurance complying with the requirements of Section 34 of Act 723, Acts of 1952, or that such person shall have given bond or delivered the cash or securities as provided in Sections 24 and 25 of Act 723, Acts of 1952 respectively, or pay the fee herein prescribed. *Provided, that credit for payment made on a motor vehicle subsequently transferred during the same licensing year shall be applied to any motor vehicle thereafter registered by such uninsured motorist during the same licensing year.”**

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R393, H1324)

No. 275

An Act To Repeal Section 58-1024, Code Of Laws Of South Carolina, 1952, Suspending Sections 58-1021 And 58-1022 During World War II, Which Relate To Operations Of Railroads On Sunday.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1024, 1952 Code, repealed.—Section 58-1024, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R394, H1325)

No. 276

An Act To Repeal Section 58-1197, Code Of Laws Of South Carolina, 1952, Which Prohibits The Lighting Of Passenger Cars On Railroads With Materials Which Would Ignite At Certain Temperatures And Requires The Securing Of Stoves.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1197, 1952 Code, repealed.—Section 58-1197, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R395, H1357)

No. 277

An Act To Amend The Code Of Laws Of South Carolina, 1952, Relating To Income Taxes, So As To Provide For The Waiving Of Penalties And Interest Imposed By The Income Tax Act Of 1926, As Amended; To Amend Section 65-2682, Code Of Laws Of South Carolina, 1952, Relating To Refunds Of Taxes Erroneously Collected, So As To Further Provide Therefor; And To Amend Section 65-322, Code Of Laws Of South Carolina, 1952, Relating To Income Taxes, So As To Provide For A Three-Year Period Of Limitation For The Assessment Of Additional Income Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tax Commission may waive or reduce certain penalties.—The South Carolina Tax Commission may, upon making a record of its reason therefor, waive or reduce any of the penalties or interest imposed under the provisions of Title 65 pertaining to income taxes, withholding of income taxes, and estimated income taxes except that the penalty imposed by Item (10) of Subsection A of Section 12 of Part II of Act 140 of 1959 shall not be so waived.

SECTION 2. Section 65-2682, 1952 Code, amended—refund of taxes erroneously collected.—Section 65-2682, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 65-2682. Whenever after due hearing the Commission by majority vote shall determine that any tax has been paid under an erroneous, improper or illegal assessment the Commission shall order the officer having custody of the tax so erroneously, improperly or illegally paid to refund it to the person from whom it has been unjustly collected and such officer shall refund the tax on such order if the officer shall have in his possession the tax so improperly collected or other funds from which it may be lawfully refunded.”

SECTION 3. Section 65-322, 1952 Code, amended—assessment of additional taxes—time limit.—Section 65-322, Code of Laws of South Carolina, 1952, relating to income taxes, is amended by striking it out and inserting in lieu thereof the following :

“Section 65-322. If the Commission discovers from the examination of the return or otherwise that the income of the taxpayer or any portion thereof has not been assessed, it may at any time within

three years after the time when the return was filed or due to be filed, assess such income and give notice to the taxpayer of such assessment and such taxpayer shall thereupon have an opportunity within thirty days to confer with the Commission as to the proposed assessment. The limitation of three years to the assessment of such tax or additional tax shall not apply in the case of fraud with intent to evade this chapter or authorized rules and regulations promulgated under this chapter or in the case of failure to make a return. After the expiration of thirty days from such notification, the Commission shall assess the income of such taxpayer or any portion thereof which it believes has not heretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this chapter with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than fifty cents shall be assessed. *Provided*, that the provisions of this section shall take effect with respect to returns filed or due to be filed after January 1, 1964."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R396, H1360)

No. 278

An Act To Amend Item (4) Of Section 65-801, Code Of Laws Of South Carolina, 1952, Relating To Admissions Taxes, So As To Remove The Exemption From Admission Taxes Of Admissions Paid To Athletic Contests Of Institutions Of Higher Learning.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (4) of Section 65-801, 1952 Code, amended—athletic contests of institutions of higher learning no longer exempt from admissions tax.—Item (4) of Section 65-801, Code of

Laws of South Carolina, 1952, is amended by adding at the end thereof the following: "*Provided*, that the license tax herein levied and assessed shall be collected and paid upon all paid admissions to all athletic events of any institution of learning above the high school level;".

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act, upon approval of the Governor, shall take effect on July 1, 1961.

Approved the 10th day of May, 1961.

(R397, H1361)

No. 279

An Act To Amend Section 65-765, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Exemptions From The Soft Drinks Tax, So As To Require An Application And An Affidavit for Exemption, To Permit The South Carolina Tax Commission To Inspect The Formulas And Manufacturing Processes Of Any Person Applying For Exemption, To Make Unlawful The Divulgence Of Certain Information, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-765, 1952 Code, amended—exemptions from soft drinks tax—registration of—formulas to be submitted—analysis of—"natural fruit juice," "natural vegetable juice" and "natural liquid milk" defined—formulas not to be divulged—penalties.—Section 65-765, Code of Laws of South Carolina, 1952, as amended, is further amended by striking out the section in its entirety and inserting in lieu thereof the following:

"Section 65-765. All bottled soft drinks containing thirty per cent or more natural fruit or natural vegetable juice as hereinafter defined, and all bottled natural liquid milk drinks containing thirty per cent or more of natural liquid milk, as hereinafter defined, shall be exempt from the tax imposed by this chapter. *Provided*, that this exemption shall not apply to any fruit, or vegetable juice drink, to which is added any one or more of the following, any coloring, artificial flavor-

ing, or preservative. Sugar or salt or vitamins shall not be construed as an artificial flavor or preservative.

Any 'bottled soft drink' for which exemption is claimed under this section must be registered with the South Carolina Tax Commission. No such 'bottled soft drinks' shall be entitled to the exemption herein conferred until such registration has been accomplished. Registration shall be accomplished by the filing of an application for exemption on forms to be prescribed by the South Carolina Tax Commission, and such forms shall include an affidavit setting forth the complete and itemized formulas by volume of the drinks herein referred to, and the failure to submit such affidavit shall be prima facie evidence that such 'bottled soft drink' does not contain thirty per cent or more of natural fruit or vegetable juice or thirty per cent or more of natural liquid milk. All bottled soft drinks which are not registered therefor which do not have affixed thereto the proper revenue stamps, lids, or crowns, shall be subject to confiscation, as provided by Section 65-857, as amended. The South Carolina Tax Commission, or any duly authorized representative, may at any time check the formulas or the manufacturing of such 'bottled soft drinks' for which exemption is claimed under this section, and in addition thereto, the Tax Commission, or any duly authorized representative, may at any time take samples of any product for which exemption has been claimed, from any or all persons offering such product for sale, for the purpose of ascertaining by analysis the contents thereof. The sample shall be clearly marked for identification, and such sample may be turned over to any registered chemist designated by the Tax Commission, for the purpose of analysis. If such investigation establishes that such 'bottled soft drinks' contain less than thirty per cent by volume of natural fruit or natural vegetable juice, as hereinafter defined, or bottled natural liquid milk as hereinafter defined, or if any person engaged in the selling, manufacturing, purchasing, consigning, using, shipping or distributing for the purpose of sale within this State who has applied for an exemption under this section fails or refuses to allow the South Carolina Tax Commission, or its duly authorized representative, to check the formulas or inspect the manufacturing of such 'bottled soft drinks,' the tax imposed by this chapter shall apply to all sales of such products on or after the effective date of this act, and all such products offered for sale and not properly stamped shall be subject to confiscation, as provided by Section 65-857, as amended.

The terms 'natural fruit' or 'natural vegetable juice,' as used in this section, shall mean the original resultant liquid resulting from the pressing of sound ripe fruit or vegetables or the liquid resulting from the reconstitution of natural fruit or natural vegetable juice concentrate, to wit: the restoration of water to dehydrated natural fruit or natural vegetable juices. The term 'natural liquid milk,' as used in this section, shall mean natural liquid milk regardless of butterfat content or shall mean reconstituted natural milk concentrate regardless of butterfat content, to wit: the restoration of water to dehydrated natural milk.

Where any product is found to contain less than thirty per cent by volume of natural fruit or natural vegetable juice or any product is found to contain less than thirty per cent by volume of natural liquid milk, the tax imposed by this chapter shall apply to all sales of such product on or after the effective date of this act, and all such products offered for sale and not properly stamped shall be subject to confiscation as provided by Section 65-857, as amended.

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the members of the Tax Commission, or any deputy, agent, clerk, or other officer or employee thereof, or any other person acting in a confidential relationship with the Tax Commission, to divulge or make known in any manner any formula or any particulars of any formula pertaining to any drink referred to herein. Nothing herein shall be construed to prohibit the publication of whether or not such 'bottled soft drinks' contain thirty per cent or more of natural fruit or vegetable juice or thirty per cent or more of natural liquid milk. Nothing in this section shall be construed to prohibit the inspection by the Attorney General, or other legal representative of the State, of the formula of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted to recover any tax or penalty imposed by this chapter.

Any offense against this section shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, in the discretion of the court, and, if the offender be an officer or employee of the State, he shall be dismissed from office and be incapable of holding any public office in this State for a period of five years thereafter."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R398, H1513)

No. 280

An Act To Amend Section 33-107, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Construction And Maintenance Of Belt Lines And Spurs By The State Highway Commission, So As To Further Provide For Their Establishment Or Construction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-107, 1952 Code, amended—Highway Commission may establish belt lines or spurs.—Section 33-107, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end the following proviso :

“Provided, that should the Commission fail to establish belt lines or spurs during a fiscal year the allocation to the counties shall be continued from year to year and the mileage shall be cumulative.” The section when amended shall read as follows :

*“Section 33-107. The State Highway Commission may establish such belt lines or spurs as it deems proper and construct and maintain such belt lines and spurs from funds otherwise provided by law for the construction and maintenance of the State Highway System, but the total length of such belt lines and/or spurs to be established or constructed in any county shall not exceed two miles in any one fiscal year. *Provided, that should the Commission fail to establish belt lines or spurs during a fiscal year the allocation to the counties shall be continued from year to year and the mileage shall be cumulative.*”*

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R400, H1621)

No. 281

An Act To Amend Section 10 Of Act No. 818, 1960, Relating To Prisoner-Produced Products Among Other Things, So As To Exempt Certain Agricultural Products From The Provisions Thereof Until December 31, 1963.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10 of Act 818 of 1960 amended—raw agricultural products exempted—conditions.—Section 10 of Act No. 818, 1960, is amended by adding at the end thereof the following: "*Provided*, further, the provisions hereof shall not be applicable to raw agricultural products produced wholly or in part by prisoners of this State until December 31, 1963; *provided*, further, that if the proceeds of the sale of such products when produced by an instrumentality under the control of the State Board of Corrections shall be applied as provided in Section 9 of this act."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R407, H1549)

No. 282

An Act To Regulate The Fishing And Hunting Upon The Waters Of The Hartwell Reservoir, To Provide For Reciprocal Agreements With Other States, And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Permits required for hunting or fishing on waters of Hartwell Reservoir—fee.—All residents of this State fishing in or hunting on the waters of the Hartwell Reservoir shall purchase and have in possession, while fishing or hunting, permits which shall be issued by the South Carolina Wildlife Resources Department in the same manner as now applies to hunting and fishing licenses and permits issued by it, and subject to the same laws as to the handling

thereof. The charge for such permit shall be one dollar and ten cents and the permit shall be good for the fiscal year in which issued. This permit shall be in addition to the regular anglers' license required of those fishing with artificial tackle and equipment designated in the laws relating to such anglers' licenses, and also in addition to the regular license required for hunting.

SECTION 2. Nonresident fishing licenses.—Before fishing in the waters specified in Section 1, any nonresident, except a resident of Georgia licensed as required by Sections 5 and 6 hereof in accord with a reciprocal agreement, shall obtain and have in possession either a temporary or annual nonresident fishing license, which the South Carolina Wildlife Resources Department shall issue to applicants. The temporary nonresident license shall authorize the holder thereof to exercise only the privilege of fishing in the waters of the area for a period of three consecutive days, to be specified on the license, and shall be issued to the applicant upon the payment of three dollars and ten cents therefor. The annual nonresident fishing license shall be issued to the applicant according to the provisions of Section 17 of Act No. 898 of the 1952 Acts. There shall be no other licenses or permits required for fishing by the holders of either the temporary or annual nonresident licenses mentioned above. The manner of issuance and handling of these nonresident licenses shall be the same as provided for the issuance of the other licenses and permits issued by the South Carolina Wildlife Resources Department and subject to the same laws forbidding postdating and other provisions governing the issuance and handling of the same.

SECTION 3. Use of license fees.—All funds collected by the South Carolina Wildlife Resources Department from the sale of the permits and licenses required herein shall be placed to the credit of the Game Protection Fund of the State Treasury, to be disbursed by the South Carolina Wildlife Resources Commission solely for game and fish protection and propagation in the above described waters and adjacent areas.

SECTION 4. Fishing regulations.—The regulations for fishing in the above waters shall be as follows, unless changed as provided for in Section 6:

(a) Daily bag limit: eight bass, twenty other game fish; and no person shall have in possession more than this number of fish while on the waters or the lands immediately adjacent thereto.

(b) Traps, seines and nets prohibited. Baskets designed to catch nongame fish may be used for catching nongame fish. The South Carolina Wildlife Resources Department shall specify the design and type basket that may be used. Trot lines may also be used for catching nongame fish and shall not be baited with minnows, insects, worms, any type live bait, or other bait designed to catch game fish. No trot line may have more than one hundred hooks. Before either trot line or basket is used in these waters a nongame fish tag must be secured from the game warden or agent of the South Carolina Wildlife Resources Department at a cost of one dollar for each basket or trot line. The person or his agent designated in writing securing a tag or tags must fish his own basket or trot line. These tags must be securely attached to baskets or trot lines while they are in use. Each such nongame tag shall be good for only the fiscal year in which issued. The department is authorized to regulate the number of tags to be issued to any person.

(c) It is unlawful for any person to have in his possession game fish or fishing tackle of a design to catch game fish while fishing baskets or trot lines as provided for in (b) of this section.

(d) Licensees holding all required fishing licenses and permits may use minnow seines to catch minnows only from daylight until nine o'clock P. M. No seine over thirty feet long may be used.

(e) Use of high-powered lights or flashlights of over five cells are hereby prohibited while fishing, and no person shall have any rifle in his possession in any boat, nor shall any person fire a rifle within one hundred yards from the shore line of such waters.

(f) All other State game and fish laws not inconsistent herewith are hereby declared to be applicable to the above waters and lands adjacent.

(g) Any device being used in the violation of this act shall be confiscated and delivered to the South Carolina Wildlife Resources Department in Columbia.

The South Carolina Wildlife Resources Department, with the approval of a majority of the legislative delegations of the counties adjacent to the waters referred to in Section 1 of this act, may amend these regulations or make new ones as same become desirable.

SECTION 5. Reciprocal agreements may be made with Georgia.—Notwithstanding any of the foregoing, the South Carolina Wildlife Resources Department is authorized to negotiate a recipro-

cal agreement with the authorities of the State of Georgia whereby any resident of Georgia properly licensed by that state may fish anywhere in the Hartwell Reservoir, with no other license being required; *provided*, any resident of South Carolina, properly licensed by South Carolina, shall be permitted the same privilege of fishing anywhere in the Hartwell Reservoir, with no other license being required.

SECTION 6. Further.—The South Carolina Wildlife Resources Department shall also negotiate for and enter into a reciprocal agreement with the authorized officials of the State of Georgia, adopting rules and regulations for the preservation and propagation of fish and game within the area, the recognition of the licenses and permits of one state by the other, and the enforcement of the laws of the two states over the area involved. If necessary to reach such agreement, or it is deemed advisable for the better protection and management of the game and fish of this area, the department may increase the bag limit prescribed by Section 4(a) to not more than twelve bass and thirty other game fish in possession at one time, and may make and agree to other reasonable rules and regulations with the Georgia authorities, not inconsistent with the laws of this State and may change or alter them from time to time. Any rules and regulations to adopted by the authorized officials of the two states, on the above subjects and not inconsistent with the laws of this State, shall have the force and effect of law, after being published in newspapers circulating in the area at least once a week for three weeks, and after copies thereof have been filed with the Secretary of State, as provided by law. Any reciprocal agreement so entered into shall contain a provision that either party thereto may cancel it upon ninety days' written notice to the other party.

SECTION 7. Exemptions.—The provisions of Section 1 of this act shall not apply to any person twelve years of age or younger, or to any resident person sixty-five years of age or over, or to any resident organized or supervised orphan groups.

SECTION 8. Penalties.—Any person violating any of the provisions of this act, or any of the rules or regulations adopted and promulgated under the authority thereof, shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not less than ten nor more than one hundred dollars, or imprisonment for not more than thirty days.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—All of the provisions of this act shall take effect upon approval of the Governor except Sections 1, 2, 3 and 8, which shall take effect on July 1, 1961.

Approved the 10th day of May, 1961.

(R408, H1587)

No. 283

An Act Declaring All Species Of Pheasant And Francolins As Game Birds; To Provide For Their Protection; To Provide For Open Seasons For The Taking Of Such Birds; And To Provide Penalties For Violations.

Whereas, the South Carolina Wildlife Resources Department is experimenting with several species of imported game birds, and has already stocked species of Iranian Pheasants and Francolins, and expects to release additional birds of the same species, and may from time to time make releases of other species that may be suitable for propagation in South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Pheasants and Francolins declared game birds.—All species of the pheasants and the Francolins are hereby classified as game birds in South Carolina, along with any other game bird species that the Director of the Division of Game of the Wildlife Resources Department may select for release in South Carolina. *Provided*, any such species that may not adapt itself to environmental conditions in South Carolina after extensive trial may be removed from the game bird list.

SECTION 2. Certain game birds to be protected—Director of Division of Game may set open seasons and make regulations.—All species of game birds for which the Legislature has not provided a specific open season shall be protected, and shall not be shot, trapped, destroyed or attempted to be shot, trapped or destroyed at any time. *Provided*, however, that the Director may, at his discretion, prescribe an open season for the taking of such exotic game birds, prescribe the method by which they may be taken, fix the specific

areas of any zone in which these exotic species may become numerous enough to be harvested. All areas not specifically open to hunting shall be closed to hunting. He may designate the sex that may be taken and may prescribe any other regulations that may be deemed wise and expedient for the harvest of these new game birds.

SECTION 3. Penalties.—Any person taking, attempting to take, or having in his possession these exotic game birds illegally; or taking, attempting to take or killing these exotic game birds in any way not prescribed by the Director shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned for not less than fifteen days nor more than thirty days.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1961.

(R409, H1636)

No. 284

An Act To Amend Act No. 139 Of The Acts Of 1953, Relating To The Issuance By The State Of South Carolina Of Its State Institution Bonds, As Now Amended, By Further Prescribing The Terms, Purposes And Conditions Under Which State Institution Bonds May Be Issued, By Enlarging The Amount That May At Any Given Time Be Outstanding, And By Further Defining The Coverage Formula To Be Employed In Issuing State Institution Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 139 of 1953 amended—State Institution Bonds—issuance of.—An act entitled “An Act To Provide For The Issuance By The State Of South Carolina Of Its State Institution Bonds, To Prescribe The Conditions Under Which Said Bonds May Be Issued, To Prescribe The Purposes For Which Their Proceeds Shall Be Expended At The Several State Supported Institutions Of Higher Learning, To Make Provision For The Payment Of Said

Bonds, And To Make Appropriations To Certain State Institutions And Agencies For Permanent Improvements.”, approved the 2nd day of April, 1953, as amended, is hereby further amended in the following particulars :

1. Section 5 of the act is hereby stricken and the following shall be inserted in lieu thereof and shall become Section 5 of the act :

“Section 5. The respective boards of trustees of such State institutions may make application to the State Board for funds to be used for any one or more of the following purposes: (a) to construct, reconstruct, maintain, improve, furnish and refurnish the buildings and other permanent improvements for such State institutions, (b) to defray the cost of acquiring or improving land needed as sites for such improvements or for the campus of any such State institution, (c) to reimburse such institution for expenses incurred in anticipation of the issuance of such bonds, or (d) to refund State Institution Bonds heretofore issued for such institutions and which shall then be outstanding. Such application shall contain :

(1) A description of the improvement sought, or the amount of outstanding bonds it wishes to have refunded ;

(2) An estimate of cost, or an estimate of the money required to effect the refunding ;

(3) The number of regularly enrolled students at the State institution at the close of the last preceding academic semester or term (exclusive of any summer school semester or term) ;

(4) The schedule of tuition fees in effect ;

(5) A suggested maturity schedule for bonds issued pursuant to this act ; and

(6) A statement showing the unmatured State institution bonds heretofore issued for such State institution.

The application shall contain an agreement upon the part of the board of trustees that such schedule of tuition fees shall be revised from time to time and whenever necessary to provide the annual principal and interest requirements on the proposed bonds and on all outstanding State institution bonds issued for such State institution.”

2. Section 6 of the act is hereby stricken and the following shall be inserted in lieu thereof and shall become Section 6 of the act :

“Section 6. The State Board may approve, in whole or in part, or modify in any way that it sees fit, any application made by any board of trustees of any of the State institutions and may direct

the application of the principal proceeds of any bonds, issued pursuant to this act for such purpose, if it shall have found :

(1) That a definite and immediate need therefor exists, or, in the event that the issuance of refunding bonds is sought, that it is to the advantage of the institution to effect the refunding of its outstanding bonds ;

(2) That a satisfactory and proper schedule of tuition fees is in effect at such State institution ;

(3) That such schedule of tuition fees, as applied to the regularly enrolled students at such State institution at the close of the last preceding academic semester or term (exclusive of any summer school semester or term) will, if multiplied by the number of years for which the bonds herein provided for shall be outstanding, result in the production of a sum equal to not less than one hundred fifty per cent of the estimated aggregate principal and interest requirements of all State institution bonds issued for such State institution to be outstanding if such application be approved. *Provided*, that in determining the one hundred and fifty per cent coverage hereby required, an appropriate credit shall be given for the then actual cash value of funds held by the State Treasurer pursuant to Section 9 of this act, which shall be accomplished by deducting the then amount of the cash value of the funds from the estimated aggregate principal and interest requirements of all State institution bonds issued for such State institution to be outstanding if the application be approved, and to the remainder thus calculated the coverage test shall be applied ; and

(4) That the board of trustees of the State institution has agreed that such schedule of tuition fees may be revised from time to time and whenever necessary to provide not less than the sum needed to pay the annual principal and interest requirements on the proposed bonds and on all outstanding State institution bonds issued for such State institution."

3. Section 12 of the act is hereby stricken and the following shall be inserted in lieu thereof and shall become Section 12 of the act :

"Section 12. Other provisions of this act to the contrary notwithstanding, there shall not be outstanding at any given time State institution bonds for all institutions in excess of twenty-five million dollars."

4. Section 13 of the act is hereby stricken and the following shall be inserted in lieu thereof and shall become Section 13 of the act :

"Section 13. State institution bonds may be privately placed if the terms and conditions of such disposition shall be approved by resolution duly adopted by the State Board and the terms of such proposal meet the financial test prescribed in the second paragraph of this section.

All other State institution bonds shall be sold by the Governor and the State Treasurer upon sealed proposals, after publication of notice of the sale one or more times at least fifteen days before the sale in a newspaper of general circulation in the State and also in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. In all calls for bids, the right shall be reserved to reject all bids and readvertise for the sale of the bonds. Upon the opening of bids the Governor and the State Treasurer shall determine the most advantageous bid and if one hundred fifty per cent of the aggregate principal and interest requirements on (1) bonds sold in accordance with the most advantageous bid and (2) all outstanding State institution bonds issued for such State institution is within the estimate of the tuition fees to be received by the State institution or institutions for which such bonds are issued, made on the basis required by paragraph (3) of Section 9 of this act, and if they shall find that one hundred fifty per cent of the aggregate principal and interest requirements, calculated in accordance with the formula prescribed by Section 9 of this act, does not exceed the estimate, they may award the State institution bonds on such bid, at a price not less than par and accrued interest to the date of delivery. For the purpose of bringing about a successful sale of such bonds, the State Board may do all things ordinarily and customarily done in connection with the sale of state or municipal bonds. All expenses incident to the sale of the bonds shall be paid from the proceeds of the bonds."

5. Section 16 of the act is hereby stricken and the following shall be inserted in lieu thereof and shall become Section 16 of the act:

"Section 16. The State institution bonds shall be in the denomination of one thousand dollars or in any multiple thereof. They shall bear interest, payable semiannually, at a rate or rates not exceeding the maximum interest rate specified in the State Board's request for the issuance of the State institution bonds. Each issue of State institution bonds shall mature in annual series or instalments, the last of which shall mature not more than twenty years after the date of the bonds, but no bonds shall be issued under the authority of this act to mature after the year 1985. The instalments or series

may be equal or unequal in amount. The State institution bonds may, in the discretion of the State Board, be made subject to redemption at par and accrued interest, plus such redemption premium as it shall approve, and on such occasions as may be specified in the request for the issuance of the State institution bonds. State institution bonds shall not be redeemable before maturity unless they contain a statement to that effect."

SECTION 2. Act to remain effective.—Save and except as herewith amended, the act as now amended shall remain of full force and effect.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R410, H1637)

No. 285

An Act To Amend Article 6 Of Chapter 15 Of Title 21, As Amended, Code Of Laws Of South Carolina, 1952, Which Article Contains Authorizations For The Issuance Of State School Bonds, By Extending The Occasion By Which The Last Maturing State School Bonds Must Mature, And By Further Defining The Pledge Made To Secure All State School Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-996, 1952 Code, amended—limit on aggregate indebtedness—maturity date.—Section 21-996, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

"Section 21-996. The aggregate principal indebtedness on account of bonds issued to obtain funds to make advances to the school districts or operating units of the several counties, after deducting that part of any sinking fund applicable to the retirement of bonds issued for such purpose, shall never exceed one hundred thirty-seven million five hundred thousand dollars.

The aggregate principal indebtedness on account of bonds issued to acquire the school bus equipment authorized by the provisions of Article 3.1 of Chapter 14 of this title, after deducting that part of any sinking fund applicable to the retirement of bonds issued for such purpose, shall never exceed nine million dollars.

Within such limits, State school bonds may be issued from time to time under the conditions prescribed by this article, but in no event to mature later than July 1, 1986."

SECTION 2. Section 21-999.6, 1952 Code, amended—payment.—Section 21-999.6, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"Section 21-999.6. For the payment of the principal and interest on all State school bonds at any time issued and outstanding, there shall be pledged the full faith, credit and taxing power of the State and, in addition thereto, but subject to the provisions of Section 21-999.7, the entire amount of revenue derived from the retail sales tax levied by Chapter 15 of Title 65. The revenues derived from such retail sales tax during each fiscal year shall be discharged from the foregoing pledge when payment or provision for payment has been made for the principal and interest of all State school bonds maturing in such fiscal year and when the requirements of Section 21-1000.2 as to payments into the sinking fund have been met."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

An Act To Amend Section 21-289, Code Of Laws Of South Carolina, 1952, As Amended, Which Section Authorizes Advances For Capital Improvements To Be Made By The Educational Finance Commission To Public School Operating Units So As To Extend The Period Against Which Such Advances May Be Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-289, 1952 Code, amended—Educational Finance Commission may make advances to schools.—Section 21-289, Code of Laws of South Carolina, as amended, is further amended by striking out the following in paragraph 2 thereof “July 1, 1981”, and inserting in lieu thereof “July 1, 1986”, so that when so amended it shall read as follows:

“Section 21-289. Whenever the Commission shall determine that any operating unit needs capital improvements to an extent in excess of any credit due such operating unit by the Commission, the Commission may advance or lend such operating unit such sums as in the opinion of the Commission are necessary to be expended for capital improvements by such operating unit. Such loans or advances shall (a) bear interest at the rate of two and one-half per cent per annum, except that if the State shall pay an average rate of interest of more than two and one-half per cent the rate of interest charged on such advances or loans shall be increased accordingly, (b) be evidenced by appropriate agreements and (c) be repayable, both principal and interest, by the operating unit solely from the annual grants to which the operating unit shall become entitled. Such loans shall not constitute a debt of the operating unit within the meaning of any provision or limitation of the Constitution or statutes of the State.

But the Commission shall not advance or lend to any operating unit any sum in excess of seventy-five per cent of the estimated sum which will accrue to such operating unit on account of grants to be made to such operating unit within the twenty years next following the date of the advance or on or before July 1, 1986, whichever shall first occur. In estimating such grants, the Commission shall assume that the average daily attendance in the schools of the operating unit for the past preceding fiscal year will continue for the period during which the loan is to be repaid.

Provided, however, that if because of declining enrollment in a school district, the amounts of annual grants accruing to a school district appear to be less than will be required to make annual payments of principal and interest due the State for advances already made, then the Commission shall have authority to exercise its discretion by withholding approval of additional projects.

Provided, further, that if a school district so affected shall desire approvals in excess of amounts deemed by the Commission to be the limit of its ability to make repayments of advances, then the said school district shall execute an agreement with the Commission to

make such payment from its local funds as will, when added to the annual amount accruing from the State, equal the total annual payment of principal and interest due on account of advances previously made."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R412, H1663)

No. 287

An Act To Provide That Certain Recorders May Suspend Sentences And Place Persons On Probation In Cases Within Their Jurisdiction.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain recorders may suspend sentences and place persons on probation.—The recorder of any incorporated city having a population of between seven thousand eight hundred and seven thousand nine hundred according to the latest official United States Census may suspend sentences imposed by him and place persons on probation in such cases as come within his jurisdiction upon such terms as in his discretion may seem fit and proper.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R414, H1763)

No. 288

An Act To Create The Board Of Rural Fire Control Of Oconee County; To Set Forth Its Membership, Powers And Duties; To Provide Funds For The Purposes Of The Board; To Authorize

**Certain Persons To Investigate Fires And Enforce Fire Laws;
To Make Certain Acts Unlawful And To Provide Penalties
Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Rural Fire Control created for Oconee County—members—appointments—terms—vacancies—compensation.—For the purpose of encouraging and promoting rural fire protection and control in Oconee County a Board of Rural Fire Control for Oconee County, hereafter referred to as the board, is hereby established. The board shall consist of five members, four of whom shall be appointed by the Governor, upon the recommendation of the Senator and one-half of the members of the House of Representatives from Oconee County, for terms of office of two years and until their successors are appointed and qualified. The other member of the board shall be, ex officio, the Chairman of the County Board of Commissioners of Oconee County. Vacancies in the board shall be filled in the manner of the original appointment for the unexpired term only. The members of the board shall receive a per diem of ten dollars for each day in which they are engaged in the business of the board and mileage as provided by law.

SECTION 2. Powers and duties.—The board shall make a study and survey of the rural fire protection and control problem in Oconee County with a view to aiding and encouraging the creation of rural fire control associations. It shall include in its study a survey of the financial aspects involved in affording rural fire control and protection. The board shall have the power to promulgate rules and regulations for the proper organization and establishment of rural fire control associations under the terms of this act. The board shall have the power to enter into agreements and contracts with the municipalities of Oconee County which maintain organized fire departments for the purpose of providing fire protection and control for surrounding rural areas.

SECTION 3. Purchase fire trucks.—The board may, under the provisions of this act out of the funds made available to it, purchase fire trucks suitable for rural use in controlling and fighting fire. Such fire trucks shall be standard equipment and as nearly uniform as possible so as to allow interchange and co-ordinated use in an emergency and to make possible efficient and economic maintenance

and upkeep. All such equipment purchased under this act shall remain the property of the county. The responsibility for the use, operation, maintenance, upkeep and housing shall be solely with the town, city or rural fire protection organization to which the equipment is assigned as provided for in this act. The dollar value of the equipment assigned to the respective towns, cities or organizations shall be as nearly equal as practicable without sacrificing quality in an effort to obtain dollar value equality. The board may assign and re-assign, if necessary, fire fighting trucks and equipment to any place within Oconee County that it deems best in order to carry out the purposes of this act.

SECTION 4. Make study and formulate plan.—Before taking any other action pursuant to this act the board shall conduct the study and survey provided for in Section 2 of this act and shall formulate a comprehensive plan of rural fire control for Oconee County, including the establishment or designation of areas of fire control responsibility throughout the county, so as to obtain the maximum fire coverage at the minimum of cost to the taxpayers of the county. No provision of this act, except those provisions made necessary by this section, shall become effective until after the submission of such plan to the Oconee County Legislative Delegation and the approval of such plan by the Senator and one-half of the members of the House of Representatives from Oconee County.

SECTION 5. Members may direct traffic and enforce fire laws.—All members of fire departments of Oconee County may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 6. Investigate origin of fires.—All members of fire departments in Oconee County may investigate the origin of fires in the rural areas of the county.

SECTION 7. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the county or to interfere with any fire apparatus used by fire departments in the county and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 8. Further.—It shall be unlawful for any person or persons to wilfully or knowingly give a false alarm of fire in Oconee County, and any person or persons violating the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R415, H1773)

No. 289

An Act To Set The Terms Of Office Of The Mayor And City Councilmen Of The City Of Conway In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for City of Conway.—At the municipal election held in the city of Conway in 1962 there shall be elected a mayor who shall serve for a term of four years and six councilmen. Of the councilmen so elected the three candidates receiving the highest number of votes shall serve for terms of four years each, and the three candidates receiving the next highest number of votes shall serve for a term of two years each. Subsequent terms of mayor and councilmen shall be for four years. Terms of mayor and councilmen shall continue until their successors in office are duly elected and qualify.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R418, H1811)

No. 290

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Section 47-252.5 So As To Provide That The Town Council Of The Town Of New Ellenton In Aiken County May Levy An Annual Tax Of Not Exceeding Forty Mills Upon All Of The Taxable Property In The Town.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended — Section 47-252.2 added — Town of New Ellenton may levy annual tax.—The Code of Laws of South Carolian, 1952, is amended by adding a new section to be designated Section 47-252.5 to read as follows :

“Section 47-252.5. The Town Council of the Town of New Ellenton in Aiken County may levy an annual tax of not exceeding forty mills upon the assessed value of all taxable property within the corporate limits of the town.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R420, H1797)

No. 291

An Act To Establish A Board Of Rural Fire Control For Newberry County And To Define Its Powers And Duties; To Establish Eligibility Requirements For Communities Who Wish To Receive Fire-Fighting Equipment; To Provide For The Supervision, Maintenance And Use Of The Equipment; To Authorize The Borrowing Of Sums, The Total Of Which Shall Not Exceed Sixty Thousand Dollars, For The Purchase Of Fire-Fighting Equipment And Other Needs Connected With Rural Fire Protection; And To Provide For Its Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Rural Fire Control created for Newberry County—members—appointments—terms—vacancies—compensa-

tion—officers—meetings.—There is hereby established a board of rural fire control for Newberry County, to be composed of five members appointed by the Governor upon the recommendation of a majority of the legislative delegation. Their terms of office shall be for two years and until their successors are appointed and qualify and they may succeed themselves. Any vacancy occurring shall be filled for the unexpired term in the manner of the original appointment. The members of the board shall serve without compensation but shall receive nine cents per mile to and from meetings of the board. Within fifteen days after their appointment and receipt of their commissions, the members shall meet at the office of the county supervisor and organize by selecting one of their members as chairman and one as secretary. The chairman may call meetings from time to time as business of the board demands. The board may determine the place of meetings and prescribe the rules for the administration of this act.

SECTION 2. Board to investigate needs of communities and establish priorities.—The board shall investigate the needs of communities in Newberry County for fire-fighting equipment. It shall establish priorities for receipt of the equipment based upon the need for fire-fighting equipment of the community. It shall purchase fire-fighting equipment for the communities according to the priorities established and upon compliance with the provisions of this act as hereinafter set forth.

SECTION 3. Conditions for eligibility to receive equipment.—Before a community shall be eligible to receive fire-fighting equipment it shall

(1) Convey a lot for the erection of a fire house for Newberry County. The lot shall have at least a seventy-five foot frontage and be at least one hundred feet deep with access to paved roads and adequate water supply. The deed shall contain a reverter clause providing that in the event the lot is not used for fire-fighting purposes as provided by this act, title shall revert to the donor;

(2) Construct a fire house upon the lot conveyed in Item (1) of this section which shall be not smaller than eighteen feet by forty feet, of concrete or brick construction, with concrete floors, metal type roof, sealed overhead doors, metal window frames and equipped for oil or gas heat;

(3) Obtain from at least fifteen men residing in the community a written agreement to enroll in the next fire-fighting class conducted

by the State Department of Education and participate in the rural fire department.

The provisions of this section relative to the size of lots or buildings shall not apply to existing fire stations or the lots upon which they are located.

SECTION 4. Board may purchase fire-fighting units.—The Newberry County Board of Rural Fire Control shall, upon compliance by a community with the provisions of Section 3 and in accordance with the priorities established by the board as limited by the appropriation hereinafter provided, purchase a fire-fighting unit for the community and such other equipment as may be necessary for the efficient operation of a rural fire department. Fire-fighting units purchased by authority of this act shall be equipped with standard equipment and be as nearly uniform as possible, so as to allow interchange and coordinated use in an emergency and economical maintenance and upkeep. All equipment purchased under the provisions of this act shall remain the property of Newberry County. The community for which the equipment is purchased shall have the sole responsibility for the use, operation, maintenance, upkeep and housing of the equipment. The board in purchasing fire-fighting equipment shall expend equal amounts for such purchases for each community receiving equipment under the provisions of this act in so far as may be possible.

SECTION 5. Communities to organize — service to be free — members may direct traffic and enforce fire laws.—The respective communities assigned fire-fighting equipment shall so organize, establish and assign areas of fire control responsibility throughout Newberry County, so as to obtain the maximum fire coverage of the entire county commensurate with the personnel and equipment available. All services rendered, including the personnel used in the fighting or controlling of fires, shall be without cost or charge to the person requesting such service. All members of the fire departments of Newberry County may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 6. Borrow money—payment.—The Director and Supervisor of Newberry County shall borrow from time to time and in

such amounts as requested by the Board of Rural Fire Control for Newberry County from the Division of Sinking Funds and Property funds for the purpose of purchasing necessary fire-fighting equipment according to the provisions of this act. The total amount of loans herein authorized shall not exceed sixty thousand dollars. The loans shall be evidenced by notes signed by the treasurer and supervisor of the county and shall bear interest at the rate of four per cent per annum and shall be payable in five equal, annual, successive instalments with the first instalment coming due one year from the date of the execution of the note or notes. The auditor of the county is directed to levy and the treasurer to collect a tax upon all the taxable property of the county sufficient to pay the loan and interest thereon. The full faith, credit and taxing power of the county is irrevocably pledged for the payment of any loan provided for in this act. The borrowers shall reserve to themselves the right to prepay part or the entire amount due at any time preceding the final payment date.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R423, H1810)

No. 292

An Act To Amend Section 65-3561, Code Of Laws Of South Carolina, 1952, Relating To Tax Districts In Laurens County So As To Redefine Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-3561, 1952 Code, amended—Laurens County tax districts defined.—Section 65-3561, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-3561. For the purpose of providing for the assessment of all property in Laurens County for taxation the following tax districts, in lieu of the division by townships, are prescribed and established:

(1) Tax District No. 1 shall be comprised of what were formerly known as School Districts Nos. 1, 2, 3, 4, 6 and 7 (except that portion annexed to city).

(2) Tax District No. 2 shall be comprised of what was formerly known as School District No. 11 and all property within city limits.

(3) Tax District No. 3 shall be comprised of what were formerly known as School Districts Nos. 4, 5, 6, 7, 8 in Youngs' Township and 3B in Dials' and Youngs' Townships.

(4) Tax District No. 4 shall be comprised of what were formerly known as School Districts Nos. 1, 2 and 5 in Dials' Township.

(5) Tax District No. 5 shall be comprised of School District No. 51 and what was formerly known as Sullivan-1.

(6) Tax District No. 6 shall be comprised of what was formerly known as School District No. 17.

(7) Tax District No. 7 shall be comprised of what were formerly known as School Districts Nos. 2, 4, 6 and 14 in Waterloo Township.

(8) Tax District No. 8 shall be comprised of what was formerly known as School District No. 13 in Cross Hill Township.

(9) Tax District No. 9 shall be comprised of what were formerly known as School Districts Nos. 3, 4, K-9, 42 and 16 in Hunter Township.

(10) Tax District No. 10 shall be comprised of what was formerly known as School District No. 5 in Hunter Township.

(11) Tax District No. 11 shall be comprised of what was formerly known as School District No. 6 in Hunter Township.

(12) Tax District No. 12 shall be comprised of what were formerly known as School Districts Nos. 1, 2, 3, 5, 6, 7 and 15 in Jack's Township.

(13) Tax District No. 13 shall be comprised of what were formerly known as School Districts Nos. 1, 2, 3, 4, and 12 in Scuffle-town Township and School District No. 10 in Youngs' Township."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

Of Fairfield County, So As To Provide That The Membership Of The Board May Be Increased From Seven To Nine Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 812 of 1952 amended—number of trustees for School District of Fairfield County may be increased.—Section 3 of Act No. 812 of 1952, as amended, is further amended by adding at the end thereof the following :

“Notwithstanding the above provisions, the membership of the board may be increased from seven to nine members; *provided*, that one of the additional members be appointed from the Town of Winnsboro and that one of the additional members be appointed from the Winnsboro Mill Village Community. The initial terms of the two additional members shall be set by the County Legislative Delegation but such terms shall not exceed four years.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R427, H1820)

No. 294

An Act To Create The Anderson County Fire Protection Commission And Define Its Powers And Duties; To Authorize The Commission To Levy A Tax; To Permit The Supervisor To Make Certain Transfers Of County-Owned Real Property To The Commission; To Prohibit Certain Acts Relating To Fires And Fire Departments And To Provide Penalties For Violations; To Require Additional Duties Of Peace Officers; And To Grant Certain Police Powers To Members Of The Fire Department.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County Fire Protection Commission created—members—appointments—vacancies—terms—officers—meetings.—There is hereby created a commission in Anderson County, South Carolina, to bear the name of Anderson County Fire

Protection Commission. The commission shall be composed of five resident electors to be appointed by the Governor of the State on the recommendation of a majority of the Anderson County Legislative Delegation, including the Senator. Any vacancies that occur on the commission shall be filled in like manner. The term of office of each commissioner shall be for four years and until his successor shall be appointed and qualifies. A commissioner shall be eligible to succeed himself. The commissioners shall select a chairman and a secretary from among themselves, and the Treasurer of Anderson County shall ex officio be the treasurer of the commission. The commissioners shall serve without pay.

The commission shall hold public meetings, reserving the right of executive sessions, and shall make public the decisions and actions of the commission as soon as practical and render an annual financial audit to the Anderson County Legislative Delegation.

SECTION 2. Powers and duties.—The commission is hereby made a body politic and corporate, a governmental agency of Anderson County, and shall have the following duties and powers:

(a) To develop a comprehensive volunteer fire protection system for Anderson County and operate the same;

(b) To acquire property, both real and personal, by purchase or gift or lease or otherwise and to sell, exchange or otherwise dispose of any property that it may have acquired except property acquired from Anderson County;

(c) To enter into contracts;

(d) To annually levy a tax not to exceed two mills in the aggregate on all the taxable property of Anderson County for the development and operation of the fire protection system;

(e) To borrow money in any year needed for its purposes in its name in advance and in anticipation of the collection of taxes so levied for such year, and to pledge such taxes as security for the payment of any and all such notes. The taxes so levied by the commission shall constitute a lien upon the taxable property of Anderson County in the same manner as other taxes constitute liens on such property.

(f) To engage a competent fire marshal, fix his compensation and terms of employment and duties, and to engage such other agents and servants as from time to time may be needed.

(g) To adopt rules and regulations for the proper establishment and operation of the system after consultation with the Southeastern

Underwriters Association looking towards obtaining a lowering of fire insurance rates for property in Anderson County, both rural and municipal.

(h) To cooperate with all other fire protection agencies and operations in Anderson County now or hereafter existing.

SECTION 3. Unit chiefs—members.—In each section or subdivision of Anderson County set up in the fire protection system where the commission may establish a fire station, there shall be a volunteer unit chief and such volunteer unit members and fire fighters as the commission shall determine. Such units shall be known as the fire department of the designated area. It shall be the duties of such unit chief to enforce the rules of the commission in the section, protect and care for the property of the commission there placed. Each unit chief shall be appointed by the fire marshal for such term as may be agreed upon by him and the marshal and shall perform such other duties as may be set forth in the rules of the commission.

SECTION 4. Tax levy.—Prior to July 1 of each year, beginning in the year 1961, the commission shall determine the amount of money needed for its purposes for the fiscal year, and shall levy a tax on all taxable property of Anderson County adequate for raising such sums so needed, but such levy shall not exceed two mills on the dollar of the taxable assessed values of the property. On or before July 1 of each year, the commission shall report the levy to the county auditor, who shall enter the same upon the tax records of the county and the tax shall be collected by the county treasurer the same as taxes are collected for county purposes. All moneys assessed and collected for the purpose of the commission shall be paid out by the Treasurer of Anderson County for such purposes upon the warrant of the chairman and secretary of the commission. The county treasurer shall at regular intervals, not less than every two months, file a statement with the commission as to the moneys collected on the tax and the disbursements that have been made.

SECTION 5. Unlawful acts.—It shall be unlawful:

(a) For anyone to use any property of the commission for any private purpose;

(b) For anyone to enter any place where fire-fighting equipment of the commission is situated or to handle such equipment except with special permission of the commission or some duly authorized agent thereof.

(c) For anyone to park any vehicle or otherwise cause any obstruction to be placed within twenty-five feet of the entrance to any fire station or other place where fire apparatus is stored, or within ten feet of any fire hydrant, cistern or filling pond or lake.

(d) For anyone to drive any vehicle over fire hose except upon specific orders from the marshal, chief, or other officer in charge where the hose is issued.

(e) For anyone to maliciously turn in or cause to be turned in a false alarm.

SECTION 6. Penalties.—Any person violating any of the provisions of Section 5 of this act shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars for each offense, or be imprisoned for a period not exceeding thirty days.

SECTION 7. Special police powers for members.—All regularly appointed members of the department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this act.

SECTION 8. Peace officers to offer assistance.—It is hereby made the special duty (as far as practical) of all peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this act.

SECTION 9. Real estate to be made available to commission.—The Supervisor of Anderson County is hereby authorized to make available for the commission any real estate owned by Anderson County and not otherwise needed to place thereon a building or other property in the development and operation of the fire protection system. *Provided*, the supervisor must obtain prior approval of the Anderson County Road Commissioners and the Legislative Delegation, including the Senator, before any real property of the county may be made available for use by the fire commission.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R428, S204)

No. 295

An Act To Amend Section 58-1265, Code Of Laws Of South Carolina, 1952, Prohibiting The Obstructing Of Railroads Generally On Which Steam Engines Or Hand Cars Are Used, So As To Include Diesel Engines Or Any Other Type Engines.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 58-1265, 1952 Code, amended—penalty for obstructing railroads.—Section 58-1265, Code of Laws of South Carolina, 1952, is amended by placing a comma at the end of line 2 and adding the following: “diesel engines or any other type engines”, and by inserting the following after the word “engines” on line 6: “diesel engines or any other type engines”, so that when amended the section shall read as follows:

“Section 58-1265. If any person shall by himself or others place, or cause to be placed, on the track or other part of the passage way of any railroad on which steam engines, diesel engines or any other type engines or hand cars are used any timber, stone or other obstruction, with intent to injure or impede the passage of any cars or means of conveyance,—or shall in any manner obstruct any engine or car passing upon any railroad on which steam engines, diesel engines or any other type engines or hand cars are used or endanger the safety of persons conveyed in or upon such railroads or assist therein, such person shall be guilty of a felony and, on being thereof convicted by due course of law, shall be punished by imprisonment in the penitentiary for not less than one nor more than thirty years and fined in the discretion of the court, except when the death of some human being results from such impediment and in that case the offender shall be adjudged guilty of murder and shall suffer death.

Nothing herein shall in any manner take away any right of action for damages for injuries to the person or property of any person or body corporate caused by any injury, obstruction or damage done to any railroad or its buildings, tracks or constructions.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R429, S197)

No. 296

An Act To Repeal Section 54-351, Code Of Laws Of South Carolina, 1952, Relating To Harboring Mariners Over One Hour.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 54-351, 1952 Code, repealed.—Section 54-351, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R431, S198)

No. 297

An Act To Amend Section 53-80, Code Of Laws Of South Carolina, 1952, Relating To Salaries, Uniforms And Equipment Of Deputy Sheriffs, So As To Delete The Provision Relating To The Furnishing Of Horses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 53-80, 1952 Code, amended—deputies—oath—uniforms—other equipment.—Section 53-80, Code of Laws of South Carolina, 1952, is amended by striking out on lines seven, eight and nine the following: “and with horses for regular use in riding over the county and performing duty as mounted deputies.” so that when amended the section shall read as follows:

“Section 53-80. Before issuing any warrant to any deputy for his salary, the supervisor shall require such deputy to take and subscribe an oath that he has fully and faithfully performed during the preceding month the duties required of him herein. The governing body of the county shall furnish to each such deputy two uniforms per year, to be prescribed and approved by such body. Such deputies shall provide themselves with deputies’ billies and such firearms as may be prescribed by the governing body of the county. They shall bear all expenses incident to their service.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R432, S202)

No. 298

An Act To Amend Section 47-1176, Code Of Laws Of South Carolina, 1952, Regarding Inquiries Into The Origin Of Fires By Inspectors Of Buildings Of Incorporated Cities, So As To Eliminate Verbiage.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-1176, 1952 Code, amended—inspectors of buildings to inquire into fires.—Section 47-1176, Code of Laws of South Carolina, 1952, is amended by striking the entire sentence beginning on line three as follows: “The inspector of buildings may send for persons and papers, subpoena witnesses and compel attendance as may magistrates of the State.” and inserting in lieu thereof the following: “The inspector of buildings may subpoena witnesses as may magistrates of the State.” so that when amended the section shall read as follows:

“Section 47-1176. The inspector of buildings of every incorporated city or town in this State shall hold an inquiry into the origin of every fire occurring within the limits of such city or town. The inspector of buildings may subpoena witnesses as may magistrates of the State. The mayor, chief of the fire department or other municipal officer may be ex officio inspector of buildings.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R433, S334)

No. 299**An Act To Amend Item (3) (a) Of Section 5 Of Act 886 Of 1958, Relating To Business Development Corporations, So As To Permit Short Term Borrowing By Such Corporations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 3(a) of Section 5 of Act 886 of 1958 amended—**subitem not to apply to certain short term loans.**—Item (3) (a) of Section 5 of Act 886 of 1958 is amended by adding at the end thereof the following: “*Provided*, that the conditions of this subitem shall not apply to short term loans to the corporation when the loan shall later be repaid from a general loan call to the corporation to be prorated among all members of the corporation as provided in Item (4) of this section.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R434, S344)

No. 300**An Act Making It Unlawful To Start Certain Fires In Chesterfield County Without Obtaining A Permit And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to start certain fires in Chesterfield County—permits—penalties.—It shall be unlawful for any person to start, or cause to be started, any fire or ignite any material in any of the areas of woodlands under the fire protection of Chesterfield County at any time without first obtaining from the county forest ranger or one of the fire wardens of the county a permit to set out fire or ignite any material in such above mentioned protected areas. All persons obtaining such permits shall carefully supervise any fires that may be started by them. No charges shall be made for the granting of such permits. The county forest ranger may refuse to grant permits or revoke

such permits as may have been granted when he shall deem such action necessary in the interest of public safety. Any person who systematically burns his rights of way to remove fire hazards shall be exempted from the terms of this section unless the county forest ranger, after investigation, shall notify such person that his practices are disapproved on account of a failure to exercise proper safeguards against the spread of fire.

Any person violating the terms of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days and for a second offense the punishment shall be a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R435, S363)

No. 301

An Act To Amend Section 28-845, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Quantity Of Shell Or Seed Oysters Which Shall Be Planted Under Leases, So As To Decrease The Quantity Of Shell Or Seed Oysters Per Acre From One Hundred Bushels To Sixty-Five Bushels And So As To Delete The Requirement Of Planting By Canneries And Raw Shucking Houses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-845, 1952 Code, amended—lessees to plant shell or seed oysters.—Section 28-845, Code of Laws of South Carolina, 1952, as amended, is further amended by striking the words “one hundred” on line 1 and inserting in lieu thereof the words “sixty-five” and by striking all in the first paragraph after the word “lease” on line 2 so that when so amended the section shall read as follows:

“Section 28-845. Each lessee shall plant sixty-five bushels of shell or seed oysters for every acre under lease.

All shell shall be planted between May first and August fifteenth, except that raw shuck houses may replant green shell from current operations if such shell is replanted within three days after gathering.

All shell planting may be under supervision of the Division of Commercial Fisheries which may require five per cent of the total quota of shells of the canneries and raw shuck houses to be planted on State oyster bottoms not under lease but within a twenty-mile radius of the cannery or raw shuck house.

Each lease or portion of a lease from which oysters are harvested must be replanted during the following planting season.

Leases or portions of leases may be set aside for purposes of growth, cultivation and propagation for a period of two years without replanting but nothing herein shall be construed to diminish the quantity of shell or seed to be planted each year.

For the purpose of shell planting, a South Carolina oyster bushel shall be the same as defined in Section 28-796 and is four thousand seventy-one and one-half cubic inches. One cubic yard of shell for planting shall be considered as eleven and one-half South Carolina bushels.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R439, S281)

No. 302

An Act To Amend Item (2) Of Section 15-269, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court In The Fifth Judicial Circuit, So That Jury Matters May Be Disposed Of During The First Week Of March Rather Than Equity And Similar Matters.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 15-269, 1952 Code, amended—terms of court in Richland County.—Item (2) of Section 15-269,

Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“(2) Richland County—The Court of General Sessions for Richland County shall be held at Columbia on the second Monday in January for two weeks, on the second Monday in April for two weeks, on the third Monday in June for two weeks, on the Tuesday following the first Monday in September for three weeks and on the second Monday in December for two weeks. The Court of Common Pleas for the county shall be held in Columbia on the fourth Monday in January for two weeks, on the second Monday in March for three weeks, on the first Monday in June for two weeks, on the fourth Monday in September for three weeks and on the third Monday in November for three weeks, two weeks of which shall be for the disposal of jury matters and the other week, which includes Thanksgiving Day, for the disposal of motions, equity matters and other matters not requiring the attendance of a jury.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R440, S377)

No. 303

An Act To Amend Section 33-123, Code Of Laws Of South Carolina, 1952, Setting A Minimum Width Of Rights Of Way, So As To Authorize The South Carolina State Highway Department To Decrease The Width Of Rights Of Way In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 33-123, 1952 Code, amended—State Highways—minimum width of rights of way—exception for Greenville County.—Section 33-123, Code of Laws of South Carolina, 1952, is amended by adding thereto the following: “*Provided*, that the State Highway Department is authorized to reduce the minimum in Greenville County to sixty feet or less in the discretion of the

Highway Department.” so that when so amended Section 33-123 shall read as follows:

“Section 33-123. The minimum width of the right of way required for the construction, maintenance and safe operation of State highways is hereby fixed at sixty-six feet. But the State Highway Department may, in its discretion, accept a lesser width than sixty-six feet within incorporated towns or where existing structures of a permanent nature would necessarily be moved or damaged in order to afford the full minimum width of sixty-six feet. And the Department may acquire such additional width above the minimum herein fixed as in its judgment may be necessary to meet the exigencies of construction, maintenance and safe operation of any particular highway. *Provided*, that the State Highway Department is authorized to reduce the minimum in Greenville County to sixty feet or less in the discretion of the Highway Department.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R441, S378)

No. 304

An Act To Amend Act No. 714 Of The Acts Of 1956 Relating To Magisterial Districts In Spartanburg County And The Salaries Of The Magistrates, So As To Further Provide For The Number Of Magistrates, And To Provide For The Jurisdiction Of The Magistrates.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 714 of 1956 amended—Spartanburg County magisterial districts.—Section 1 of Act No. 714 of the Acts of 1956 is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 1. There shall be one magistrate appointed for each school district of Spartanburg County except District No. 7, including that portion of Consolidated School 9-H lying within the boundaries of Spartanburg County.”

SECTION 2. Section 4 of Act 714 of 1956 amended—jurisdiction of magistrates.—Section 4 of Act No. 714 of the Acts of 1956 is amended by striking the entire section and inserting in lieu thereof the following:

“Section 4. In civil cases the magistrates shall have jurisdiction of cases where the defendant resides within the territorial limits of the magisterial district; in criminal cases the magistrates shall have countywide jurisdiction, subject, however, to the right of any party to have his cause removed upon a proper showing. The magistrates shall have jurisdiction throughout the county to issue warrants of arrest, to hold preliminary examinations and perform any and all duties provided for by the general laws with reference to the powers and duties of such magistrates.”

SECTION 3. Section 5 of Act 714 of 1956 amended—salaries and fees.—Section 5 of Act No. 714 of the Acts of 1956 is amended by striking on lines one and two the following: “such as the General Assembly may provide”, and inserting in lieu thereof “two thousand dollars annually”, so that when so amended the section shall read as follows:

“Section 5. The salaries of the magistrates shall be two thousand dollars annually to be paid by the county in monthly installments. These salaries shall constitute their entire compensation as magistrates. All fees collected by such magistrates shall be paid over to the county treasurer as herein provided. The magistrates shall collect the fees in both criminal and civil matters as authorized and allowed by law and shall keep an accurate account as to the amount of such fees collected by them during the calendar month just preceding. The account shall be transmitted to the county auditor and at the same time the magistrates shall pay over to the county treasurer all of such collections, accompanying each payment with an itemized statement showing the source and amount of such fees. All such fees in civil matters shall be payable in advance. The reports required herein of the magistrates shall be sworn to. Failure on the part of a magistrate to comply with the provisions of this act shall be malfeasance in office and a valid ground for removal from office.”

SECTION 4. Section 6 of Act 714 of 1956 to apply to this act.—Section 6 of Act No. 714 of the Acts of 1956 shall be applicable to this act.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R442, H1158)

No. 305

An Act To Amend Section 28-866, Code Of Laws Of South Carolina, 1952, Relating To Penalties For Violations Of The Article Relating To Trawling For Shrimp And Prawn, So As To Delete Therefrom A Reference To A Certain Code Section.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-866, 1952 Code, amended—penalties.—Section 28-866, Code of Laws of South Carolina, 1952, is amended by striking on line 2 the following: “(except 28-861.2-11)”, so that when amended the section shall read as follows:

“Section 28-866. Any person violating any of the provisions of this article, Sections 28-861 through 28-865, shall, upon conviction, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R445, H1792)

No. 306**An Act To Enlarge The Authority Of The Greenville County Soil Conservation District So As To Authorize The Right Of Eminent Domain.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County Soil Conservation District may acquire land and rights of way.—In addition to the authority granted under Chapter 2, Article 6, Title 63, Code of Laws of South Carolina, 1952, The Greenville County Soil Conservation District is authorized to acquire by condemnation such lands or rights of way as are necessary for any authorized function of the district, including the acquisition of necessary land for flood water retarding structures, flood plain boundaries and stream channel improvement, and to construct, repair, enlarge, improve, operate and maintain such works of improvement within the Huff Creek Watershed. Such condemnation shall be accomplished by the board of supervisors of the district in the same manner as provided by Act No. 225 of 1953, for condemnation of lands by municipal corporations. *Provided*, there shall be no such right of condemnation unless at least seventy-five per cent of the required easements, rights of way and permits for the planned flood water retarding structures and channel improvement have been acquired by The Greenville County Soil Conservation District for such works of improvements. *Provided*, further, that no Greenville County tax funds shall be used for the acquisition of easements.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R446, S82)

No. 307**An Act To Prohibit Hunting From Public Roads Under Certain Conditions In Game Zone 6, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hunting from certain roads in Game Zone 6 unlawful.—The hunting of all game from public roads in Game Zone No. 6 is prohibited whenever such public roads are adjacent to lands that are posted against trespassing or hunting. The term “hunting” as used herein includes the hunting of deer by occupying stands therefor. *Provided*, however, the provisions of this act shall not apply to hunting by owners of the adjacent lands or by persons who have permission of the owners to hunt said adjacent lands.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for a period not to exceed thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R447, S192)

No. 308

An Act To Repeal Sections 56-153 Through 56-160, Code Of Laws Of South Carolina, 1952, Relating To The Investigation And Proceedings To Be Followed When Certain Attorneys Are Charged With Misconduct, Malpractice, Etc.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 56-153 through 56-160, 1952 Code, repealed.—Sections 56-153 through 56-160, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R448, S193)

No. 309

An Act To Repeal Sections 56-119 Through 56-123, Code Of Laws Of South Carolina, 1952, Relating To The Examination Of Applicants For Admission To Practice Law Who Are Serving In The Military Forces.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 56-119 through 56-123, 1952 Code, repealed.—Sections 56-119 through 56-123, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R449, S194)

No. 310

An Act To Repeal Section 56-114, Code Of Laws Of South Carolina, 1952, Relating To The Qualifications Of Applicants For Examinations By The Board Of Law Examiners.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-114, 1952 Code, repealed.—Section 56-114, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R450, S214)

No. 311

An Act To Repeal Section 59-535, Code Of Laws Of South Carolina, 1952, Relating To The Sale Of Water By The Town Of Eau Claire In Richland County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 59-535, 1952 Code, repealed.—Section 59-535, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R452, S195)

No. 312

An Act To Repeal Section 54-360, Code Of Laws Of South Carolina, 1952, Placing The Burden Of Proof Of Any Person In The Business Of Procuring Seamen For Vessels Who Boards A Vessel To Show That He Was There With Permission When Charged With Violating Sections 54-358 And 54-359, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 54-360, 1952 Code, repealed.—Section 54-360, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R453, S196)

No. 313

An Act To Repeal Section 54-357, Code Of Laws Of South Carolina, 1952, Which Requires Masters Of Vessels Lodging Seamen In Jail For Desertion To Post Bond.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 54-357, 1952 Code, repealed.—Section 54-357, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R454, S200)

No. 314

An Act To Amend Section 49-4, Code Of Laws Of South Carolina, 1952, Relating To The Oath Of Office Of Notaries Public, So As To Delete An Inapplicable Provision Relating To Duelling.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 49-4, 1952 Code, amended—notaries public to take oath.—Section 49-4, Code of Laws of South Carolina, 1952, is amended by striking out on line two the words “and the oath with respect to duelling” so that the section when amended shall read as follows :

“Section 49.4. Every notary public shall take the oath of office prescribed by the Constitution, certified copies of which shall be recorded in the office of the Secretary of State.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R455, S201)

No. 315

An Act To Repeal Sections 47-1225, 47-1226, 47-1227, 47-1228 And 47-1231, Code Of Laws Of South Carolina, 1952, Relating To Specifications For Walls, Roofs, Foundations, Joists And Timbers Of Brick Or Stone Buildings Used For Business Purposes And Excluding Fireproof Buildings Where The Framework Is Of Steel.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 47-1225, 47-1226, 47-1227, 47-1228 and 47-1231, 1952 Code, repealed.—Sections 47-1225, 47-1226, 47-1227, 47-1228 and 47-1231, Code of Laws of South Carolina, 1952, are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R456, S203)

No. 316

An Act To Repeal Section 47-405, Code Of Laws Of South Carolina, 1952, Relating To The Establishment Of Public Baths In Cities Of More Than Twenty Thousand Population.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-405, 1952 Code, repealed.—Section 47-405, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R457, S215)

No. 317

An Act To Amend Section 59-618, Code Of Laws Of South Carolina, 1952, Relating To The Holding Of An Election As A Pre-requisite To The Issuance Of Bonds To Meet The Cost Of Construction Or Acquisition Of Lighting, Waterworks, Fire Protection Or Sewerage Systems, So As To Further Clarify The Provisions For Holding Such Election.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 59-618, 1952 Code, amended—elections to be held prior to bond issue.—Section 59-618, Code of Laws of South Carolina, 1952, is amended by striking the word “and” between the words “electors” and “a” on line five and inserting the word “or” and by adding after the word “years” on line six the words “or over” so that the section when amended shall read as follows:

“Section 59-618. Before any such bonds shall be issued the question of issuing them shall be first submitted to the qualified voters of the electric light, water supply, fire protection and/or sewerage district at an election to determine whether such bonds shall be issued or not, to be held upon the written petition or request of at least one third of the resident electors or a like proportion of the freeholders of the age of twenty-one years or over. Upon the receipt of such petition, the board of commissioners of the electric light, water supply, fire

protection and/or sewerage district, as the case may be, shall order an election to be held at such place in the district as may be designated by the board of commissioners on the question as to whether such bonds shall be issued or not. In such election only **qualified voters** residing in such district shall be allowed to vote. The board of commissioners shall give notice of such election for at least ten days in a newspaper published in the county or by posting such notice in three public places in the district. It shall designate the time and place and appoint the managers of the election and receive the returns of the managers and declare the result. The ballots cast must have written or printed on them 'for bonds' or 'against bonds'."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R458, S217)

No. 318

An Act To Repeal Section 66-6, Code Of Laws Of South Carolina, 1952, Relating To Specifications For Shingles And Staves.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 66-6, 1952 Code, repealed.—Section 66-6, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R459, S271)

No. 319

An Act To Provide For A Dairy Commission, Its Powers And Duties; To Provide For The Orderly Marketing Of Milk, Milk Products, Frozen Desserts And Frozen Dairy Foods And To Prohibit The Sale Below The Costs Thereof For The Purpose

Of Or With The Effect Or Intent Of: Restraining, Lessening Or Destroying Competition, Creating A Monopoly, Injuring A Competitor, Unfairly Diverting Trade From A Competitor, Or Otherwise Impairing Or Disrupting The Orderly Marketing Of Such Products; To Continue The Terms Of The Present Commissioners; And To Repeal Act No. 230 Of 1953 And Act No. 255 Of 1955.

Whereas, the strict sanitary regulations imposed on the production, processing and distribution of milk and the minimum quality standards governing the components of milk which have extreme variation in value are rigidly enforced by the State under direct supervision of State and local health authorities which to a great extent determine the costs of producing, processing and distributing milk; and

Whereas, such governmental regulations and restrictions are imposed in the public interest by the State in order to protect the health and welfare of its inhabitants and in order to provide for the inhabitants of this State a pure and wholesome supply of milk, a primary and necessary food for children, especially, and also for adults; and

Whereas, the highly perishable nature of milk, the rigid governmental controls over the production and distribution of milk and the peculiar intricacies involved in the marketing of milk so completely foreign to any other product eliminates any bargaining power in the market place, and makes every competitive move a crisis which can and does adversely affect the price received for milk by the farmer while his costs of production to a great degree are indirectly controlled by the State in the public interest; and

Whereas, local market conditions determine the economic stability of the milk industry, which of necessity must be stable to enable farmers in particular, as well as others engaged in the milk industry, to comply with the rigid minimum sanitary and quality standards imposed by the State in the public interest and to enable the State and local health authorities to effectively enforce such minimum standards necessary to protect the health and welfare of the people of this State; and

Whereas, artificially depressing the price of milk and other dairy products inseparably inter-related in the trade and commerce of the dairy industry and other destructive and demoralizing economic trade practices found to exist therein tend to lessen, restrain, or destroy competition in the dairy industry in this State, thus de-

priving the inhabitants of the State of a constant supply of pure wholesome milk, and the same constituting a menace to the health and welfare of the inhabitants of this State; and

Whereas, in order to protect the well-being of the people of the State of South Carolina, and to promote the public welfare and public health and prevent the economic destruction of the dairy industry of this State in order to preserve free competition in the dairy industry and in the marketing of milk, the trade and commerce of the dairy industry should be supervised and regulated, chiefly with respect to the destruction of competition therein by the sale of products covered by this act below the costs thereof, as hereinafter provided in the exercise of the police powers of this State. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Products included under this act—definitions.—

The products covered by this act are as referred to or specified in paragraph A of this section, and the words or terms as used in this act, unless otherwise stated or the context of the subject matter clearly indicates otherwise, shall be as defined in paragraph B of this section.

A. The products covered by this act are as referred to or listed herein :

(1) All grade "A" milk and all milk products as defined pursuant to Section 32-8, Code of Laws of South Carolina, 1952, including any subsequent and future revisions or amendments thereto. Such products shall include but are not limited to pasteurized, homogenized, flavored and cultured milk, skim or fortified skim milk, flavored drink, including such products to which any vitamin or mineral may have been added; cream, buttermilk and cultured buttermilk, cottage cheese and any combination of milk and milk products, or any other product made by the addition of any substance to milk or any milk product and offered for sale by a distributor.

(2) All frozen desserts and frozen dairy foods as defined in Section 32-1701, Code of Laws of South Carolina, 1952, as amended, except subparagraph (6) thereof, and Section 1 of Act No. 257 of 1955, and rules and regulations promulgated pursuant thereto, including any subsequent and future revisions or amendments thereto. Such products shall include but are not limited to ice cream, imitation ice cream, ice milk, frozen custard, milk sherbet, including mixes from which any of such products are made.

B. The words or terms enumerated below are defined as indicated:

(1) "Commission"—The State Dairy Commission of South Carolina.

(2) "Director"—The Director of the State Dairy Commission.

(3) "Person"—Any individual, partnership, corporation, cooperative, or other business entity.

(4) "Distributor"—Any of the following, irrespective of whether such person be a producer:

(a) Any person who is engaged within this State in the business of pasteurizing milk, all of which was produced by such person, and offering the same for sale at wholesale or retail.

(b) Any person engaged within this State in the business of receiving, processing, manufacturing and distributing any or all of the products covered by this act and offering the same either directly or indirectly for sale at wholesale or retail.

(c) Any person located outside this State and engaged in the business of processing or manufacturing any or all of the products covered by this act and distributing or offering the same either directly or indirectly for sale at wholesale or retail within this State.

(5) "Subdistributor"—Any person other than a distributor who has an actual or legal exclusive franchise within a clearly-defined geographical area of this State, as defined by the distributor such person represents, to distribute at wholesale or retail all milk and milk products in all sizes and types of containers, or all frozen desserts and frozen dairy foods in all sizes and types of containers processed or manufactured and offered for sale at wholesale or retail by the distributor which such person represents; *provided*, such person performs all the services normally performed by a distributor in the distribution and sale of the products covered by this act.

(6) "Store"—Any retail establishment which purchases or receives on consignment or otherwise acquires any of the products covered by this act for the purpose of selling or offering such products for resale for consumption off the premises of such establishment.

(7) "Producer"—Any person producing grade "A" milk under a permit issued by the South Carolina State Board of Health.

(8) "Bulk Milk"—Grade "A" raw milk purchased or acquired by a distributor from a producer or another distributor.

(9) "Processed Milk and Milk Products"—Any milk or milk product which has been processed and bottled or packaged in a container for sale for human consumption.

(10) "Licensee"—Any and all persons required to obtain a license by this act.

(11) "Permittee"—Any and all persons required to obtain a permit by this act.

(12) "Market"—Any county within the State of South Carolina.

(13) "Zone I"—The Counties of Cherokee, Spartanburg, Greenville, Pickens, Oconee, Anderson, Abbeville, McCormick, Greenwood, Newberry, Laurens and Union.

(14) "Zone II"—The Counties of York, Chester, Fairfield, Saluda, Edgefield, Aiken, Lexington, Richland, Kershaw, Lancaster, Lee and Sumter.

(15) "Zone III"—The Counties of Chesterfield, Marlboro, Darlington, Dillon, Marion, Horry, Florence, Clarendon, Williamsburg, Jasper, Calhoun, Orangeburg, Dorchester, Berkeley, Charleston, Bamberg, Georgetown, Colleton, Barnwell, Allendale, Hampton and Beaufort.

(16) "Controlled Market"—Any county or counties in the State of South Carolina designated by the commission as a controlled market in the exercise of the powers authorized by Section 4 of this act.

(17) "Books and Records"—Any books, records, accounts, invoices, contracts, financial statements, memoranda, documents, papers, correspondence or other data pertaining to the business of the person in question.

(18) "Affiliate"—Any person who has actual or legal control, either directly or indirectly, over a distributor or store whether by stock ownership or any other manner.

(19) "Subsidiary"—Any person over whom a distributor or store or any affiliate thereof has actual or legal control, either directly or indirectly, whether by stock ownership or in any other manner.

(20) "Wholesale consumer"—Any person who purchases for resale, service or use, either on or off the premises of such person, any products covered by this act, except a person required to be licensed by this act.

(21) "Retail consumer"—Any person who purchases any of the products covered by this act for consumption or use, except a wholesale consumer or any person required to be licensed by this act.

(22) "Directly or Indirectly"—An act by a person, or by an employee, agent, subsidiary, affiliate, subdistributor or other person acting in such person's behalf over whom such person has actual or legal control or an act affecting the advertising, marketing, sale or distribution of the products covered by this act, in any way prohibited by this act through a circumventing way, method or manner.

(23) "Cost"—The price paid or incurred in the purchase or receipt of any products covered by this act, plus all costs paid or incurred in doing business, which shall include, but shall not be limited to, the costs of receiving, cooling, processing, manufacturing, packaging or labor, salaries of executives or officers, rent, interest, depreciation, power, supplies, selling and delivery costs, advertising, storing, transportation, all maintenance costs, license and permit fees, insurance, credit losses and all administrative costs.

(a) In the absence of specific proof to the contrary by a store, as evidenced by a reliable standard or method of accounting regularly employed by such store, the costs of doing business as herein defined which are applicable in the operation of a store, shall be deemed to be not less than eight per cent of the invoice price paid or incurred in the purchase or receipt of any products covered by this act, computed to the nearest half cent per sales unit.

(b) A profit from the sale of any products or commodities other than the products covered by this act, or from services rendered, shall not be used in the computation of the cost of doing business as herein defined to subsidize or lower such cost with respect to the products covered by this act or to subsidize or lower the unit cost of such products.

(c) All cost shall be allocated in a proportionate manner to each unit of product sold on the basis of a reliable and generally accepted standard or method of accounting.

(d) The base period to be used in the determination of cost shall be established by the commission and shall be a reasonable time prior to any alleged violation of this act by any person with respect to cost. In determining the reasonableness of time prior to any alleged violation of this act by any person with respect to cost, any special economic conditions affecting the business of such person may be taken into consideration.

SECTION 2. State Dairy Commission created—members—vacancies—terms—chairman—director.—There is hereby created the

State Dairy Commission of South Carolina, which shall be composed of such members and have such duties and powers as are hereinafter provided. The members of the present Dairy Commission may serve as members of the commission herein created until the expiration of their respective terms.

A. The commission shall, upon the approval of this act, consist of ten members. Three of the members shall be producers of grade "A" milk who are not directly or indirectly engaged in the distribution of milk, one member shall be engaged within this State in the business of processing or manufacturing and distributing milk or milk and frozen desserts or frozen dairy foods, one member shall own or operate within this State a store as defined in Section 1 of this act, four members shall represent the consuming public, and the Commissioner of Agriculture shall serve *ex officio* without voting privileges except in cases of tie votes among those members present and voting at any meeting of the commission. The Commissioner of Agriculture's presence and attendance at any meeting shall be counted in determining a quorum of the commission. That fact that a producer owns stock in a dairy cooperative shall not prevent such person from participating in any of the privileges as a producer under this act, nor shall it disqualify such person from serving on the commission as a producer member. All members of the commission shall be residents of the State of South Carolina.

B. Each of the three zones defined in Section 1 of this Act shall have one producer member. The producer members shall live in the respective zones which they represent; *provided*, however, not more than one producer selling milk to the same company shall be eligible to serve on the commission at the same time.

C. The commission shall call a public meeting of the producers living in any zone, prior to the expiration of the term of the producer member from such zone. At such meetings each group shall nominate, for its respective representation on the commission, two producers for the vacancies to exist on the commission. The names of the nominees shall be forwarded to the Governor by the commission, and the Governor shall appoint one producer from the nominees submitted. The four consumer members and the member representing the retail stores of the State and the distributor member shall be appointed by the Governor from the State at large. The persons appointed to serve on the commission as herein provided shall become members of the commission upon their appointment and qualification.

The term of office of the appointive members of the commission shall be for three years. Any vacancy on the commission for an unexpired term of a producer member shall be filled from the zone in which such vacancy occurs by the remaining members of the commission, and any vacancy on the commission for an unexpired term of any other appointed member shall be filled by appointment of the Governor. The members of the commission shall select one of their number as chairman of the commission, and a majority of the members of the commission shall constitute a quorum. The members of the commission shall be paid the regular per diem in the performance of their official duties plus the actual expense of travel required by the commission.

D. The principal offices of the commission shall be in the City of Columbia in space provided by the State of South Carolina. The commission shall appoint the director and shall prescribe the duties of the director, and may at its pleasure remove the director. The director shall have the authority to hire, fix the compensation and prescribe the duties of and discharge employees, subject to the approval of the commission. No member of the commission, or close relative of a member, shall be employed by the commission.

SECTION 3. Powers and duties.—The commission shall have the authority to supervise and regulate the production, purchase, transportation, handling, consignment, processing, manufacture, storage, distribution, bailment, brokerage, advertising, delivery, disposal, marketing, and sale of all grade "A" milk, all milk products, frozen desserts and frozen dairy foods covered by this act; and in addition thereto to supervise and regulate the importation of bulk milk and processed milk and milk products from sources located outside this State as provided in Sections 9 through 11 of this act.

A. The commission is expressly required to establish, supervise and regulate: (1) a state-wide uniform milk purchasing plan based upon sales and utilization of bulk milk received by distributors; and (2) a state-wide production incentive plan which will most effectively encourage more even year round production of milk in order to provide a constant and adequate supply of fresh wholesome locally produced milk for the inhabitants of this State. The commission may also specify the producers' settlement period, and the conditions and contents of the settlement statement issued to producers with the payment for their milk.

SECTION 4. Commission may fix prices in certain areas—public hearing.—The commission shall have the authority to define and designate any market or markets in the State as a controlled market, and fix the minimum prices to be paid producers for the various classes of milk by distributors located within the controlled market; *provided*, however, the commission shall not exercise such authority until after a public hearing has been held, and the commission determines that the exercise of such authority as provided by this section will be necessary to protect the public interest and insure an adequate supply of pure wholesome milk for the inhabitants of this State, and in the interest of protecting the dairy farmers of this State.

A. The commission may on its own motion call a public hearing as provided by this section, and shall call such hearing upon the written application of the producers supplying, in the judgment of the commission, a substantial portion of the milk consumed in any market or markets in the State.

B. In determining the minimum prices to be fixed pursuant to the provisions of this section, the commission shall take into consideration all economic factors and conditions affecting the production of milk, including but not limited to: (1) the necessary cost incurred in maintaining dairy animals in a healthy condition and in complying with all other sanitary requirements imposed by this State and subdivisions thereof in the production of milk, (2) all fixed charges and operating expenses necessary to the ownership, control, management, and operations of a dairy herd of average numerical size, and (3) the amount necessary to yield a reasonable return to producers in relation to the necessary cost of producing grade "A" milk.

C. The commission may on its own motion withdraw the exercise of its authority in any controlled market, and shall withdraw the exercise of such authority in such market upon the written application of the producers supplying, in the judgment of the commission, a substantial portion of the milk consumed in such market, after determination by the commission at a public hearing that the exercise of such authority is no longer necessary to protect the public interest and the dairy farmers of this State.

SECTION 5. Distributors and subdistributors to be licensed.—No distributor or subdistributor shall within this State, either directly or indirectly, for any purpose whatsoever buy, sell, or otherwise handle where, by contract or operation of law, title passes from one person to another person, receive on consignment or other-

wise, or consign, or otherwise dispose of, any products covered by this act unless such person has been duly licensed as provided by this section.

A. Each distributor or subdistributor required to be licensed by this section shall be issued a license authorizing such person to receive, process, manufacture, sell or otherwise deal in any of the products covered by this act; *provided*, however, such person to whom each license is issued shall only be authorized to sell or offer such products for sale within the market or markets specified on the license. The commission, however, is expressly prohibited from refusing to issue or renew a license for any market for the reason that such market is adequately supplied.

B. Every distributor and subdistributor operating within this State shall submit to the commission, within thirty days after the approval of this act, on forms supplied by the commission, an application for a license required by this section and annually thereafter prior to January 1 of each year. Any distributor or subdistributor desiring to extend his operations into another market or markets for the purpose of selling or offering for sale, either directly or indirectly, any products covered by this act, and any distributor or subdistributor desiring to initially engage within this State in the operation of a business for which a license is required by this section shall, sixty days prior thereto, file an application for a license as required by this section with the commission.

(1) Upon receipt of an application duly executed and payment by the applicant of five dollars which is fixed as an annual license fee to cover the cost of receiving, processing and issuing the license, the commission shall issue to the applicant a license as required by this section.

(2) All licenses required by this section shall be renewed annually upon receipt by the commission of an application duly executed on forms supplied by the commission, and payment by the applicant of the annual license fee. Any licensee failing to renew a license required by this section before the expiration date thereof shall be penalized five dollars in addition to the annual license fee.

(3) Unless previously suspended or revoked, all licenses issued under the authority of this section shall remain in effect until the first day of January next succeeding the date issued.

C. The commission may, upon due notice and opportunity for hearing, suspend, revoke, or decline to renew a license issued pursuant to the provisions of this section for any market or markets when

it has been determined by the commission that such licensee has either directly or indirectly, in the conduct of his business within such market or markets, violated any of the provisions of this act or any rule, regulation, or order issued pursuant thereto, after being given an opportunity to comply with such provisions.

SECTION 6. Distributors and subdistributors not to engage in certain practices.—No distributor or subdistributor shall either directly or indirectly within this State, in the process or method of conducting his business, or in the advertising, sale or marketing of any of the products covered by this act engage in any of the practices prohibited by this section for the purpose of, or with the effect or intent of: (1) unfairly diverting trade from a competitor, (2) restraining, lessening or destroying competition, (3) creating a monopoly, (4) injuring a competitor, (5) or otherwise impairing or disrupting the orderly marketing of such products.

A. The provisions of this section shall not prohibit a licensee from meeting in good faith a lawful competitive price, condition or practice; *provided*, however, such licensee must obtain, after written inquiry to the commission, a written statement from the commission that any price or condition of sale to be offered or any practice to be engaged in is lawful before offering or engaging in the same for the purposes of meeting competition.

B. Any marketing, advertising, or trading practices engaged in by any licensee which are monopolistic in nature or which tend to create monopolies or restrain, lessen, or destroy competition, or in any way disrupt the orderly marketing of any of the products covered by this act are hereby declared to be unlawful and are prohibited by this act. Such practices shall include but shall not be limited to the following:

(1) Selling, advertising or offering to sell at less than the cost thereof, or giving to any person any product covered by this act.

(2) Discriminating in price in the sale of any product covered by this act between the same types of consumers, after making allowances, if any, for substantial differences in the quantity purchased by such consumers and the conditions of the sale.

(a) A licensee is hereby expressly prohibited from establishing any conditions of sale which are not made available to all consumers of the same type, and expressly prohibited from establishing special prices for certain quantities of products without proportionately graduating the quantities and the prices thereof, on the basis of the

proven economies effected by volume sales, whereby all consumers of the same type may avail themselves of the most advantageous prices available according to the quantity purchased.

(3) Discriminating in price in the sale of any product covered by this act between markets, after making allowances, if any, in the actual cost of transportation.

(4) Giving, lending, selling or renting any type of signs, clocks, displays, or any other devices or materials for advertising to any wholesale consumer or prospective wholesale consumer, or placing the same in, on or adjoining the premises occupied by such consumer, except such advertising materials as may be approved by the commission for use by all licensees; *provided*, however, any devices or materials prohibited by this section which are installed or in place at the time of the enactment of this act shall not constitute a violation of this act; and *provided*, further, that such items shall not be moved to a new location and shall not be repaired, repainted, or reconditioned in any way by a licensee.

(5) Giving, or offering to give, or allowing any secret rebate, unearned discount, free services, financial aid, free fixtures or equipment or any other thing of value, either directly or indirectly, to any consumer or prospective consumer; *provided*, however, any fixtures or equipment on gratuitous loan to such persons at the time of the enactment of this act shall not constitute a violation of this act; *provided*, further, that such fixtures or equipment shall be removed from the premises of such persons or sold in accordance with the provisions of this section, and rules and regulations made pursuant thereto within twelve months after the enactment of this act.

(a) The commission may approve items of a nominal value which may be given or used by all licensees in the advertising, merchandising, and promotion of any of the products covered by this act.

(6) Selling or offering to sell to any consumer or prospective consumer: (1) any new fixtures or equipment for less than the retail list price, including freight and other incidental cost, plus a mark-up to cover the licensee's cost of doing business which shall be deemed in the absence of specific proof to be ten per cent of the retail list price of such fixtures or equipment; or (2) any used fixtures or equipment at less than the retail list price at the time of purchase, less normal depreciation, plus a mark-up to cover the licensee's cost of doing business which shall be deemed in the absence of specific proof to be ten per cent of the depreciated book value; *provided*,

however, in no case shall such used fixtures or equipment be sold for less than a reasonable value at the time of sale, and in no case shall such used fixtures or equipment be sold for less than twenty-five per cent of the retail list price at the time of purchase; *provided*, however, any fixtures or equipment sold under a conditional sales contract contrary to the provisions of this section at the time of the enactment of this act and any rules and regulations made pursuant thereto shall not constitute a violation of this act; and *provided*, further, that such fixtures or equipment shall be brought within compliance of this act and any rules and regulations made pursuant thereto within eighteen months after the enactment of this act.

(a) The terms and conditions of the sale of any fixtures or equipment by a licensee to any consumer or prospective consumer shall be not less than the minimum terms and conditions established by the commission. The terms and conditions established by the commission as herein provided shall conform to generally accepted and prevailing good business practices relating to the terms and conditions of sale of such fixtures and equipment.

(7) Renting or leasing to any consumer or prospective consumer any type of fixtures or equipment for less than the minimum rates and at terms or conditions less than the minimum established by the commission; *provided*, however, any fixtures or equipment rented or leased to a consumer or prospective consumer on the effective date of any rules and regulations made pursuant to the provisions of this section, under an agreement contrary to such rules and regulations, shall not constitute a violation of this act; *provided*, further, that such rental or lease agreements shall be brought within compliance of such rules and regulations within twelve months after the effective date thereof.

(a) The minimum rates, terms and conditions of any rental or lease agreement between a licensee and any consumer for any type of fixtures and equipment established by the commission shall conform to generally accepted and prevailing good business practices relating to the rental or lease of such fixtures or equipment.

(8) Paying any money, giving or allowing anything of value, or consideration of any kind to a wholesale consumer or prospective wholesale consumer for storage or display of any products offered for sale by a licensee, or for the privilege of placing any advertising device or material, which has been approved by the commission for.

use by licensees, in, on or adjoining the premises occupied by a wholesale consumer or prospective wholesale consumer.

(9) Maintaining, repairing or servicing any equipment owned by any consumer or prospective consumer except under written contract. The prices charged under and conditions of such maintenance or service contracts shall be consistent with good business practices, and shall not be less than the prices charged and conditions established by manufacturers of such equipment or their agents, or by other local persons engaged in maintaining, repairing or servicing such equipment under maintenance or service contracts.

(10) Purchasing any advertising in any publication of a wholesale consumer or prospective wholesale consumer at rates higher than those charged other persons for similar space or lineage purchasing advertising in such publication; or purchasing advertising cooperatively with any wholesale consumer or prospective wholesale consumer through any media and paying for the cost thereof in excess of the licensee's proportionate share of the total cost based on the lineage, space or time devoted to advertising the products offered for sale by the licensee.

SECTION 7. Distributors to file price lists.—Each distributor required to obtain a license by Section 5 of this act shall file with the commission, within such time and manner as the commission may prescribe and on forms furnished by the commission, schedules showing all prices established by such distributor for all products covered by this act and offered for sale by such distributor. Any distributor to whom a license is issued authorizing such distributor to indirectly sell or offer for sale any of the products covered by this act in any market or markets through a subsidiary, agent, affiliate, subdistributor or other person over whom such distributor either directly or indirectly exercises actual or legal control shall be responsible for filing and changing the schedules of prices of such person, and shall be responsible for adherence by such person to the prices so established. Each distributor shall keep copies of its schedules of prices as filed with the commission open to public inspection as may be prescribed by rules and regulations of the commission.

A. The price schedules filed with the commission as required by this section may be changed or withdrawn only on forms furnished by the commission and by filing a copy of the new or modified schedule of prices with the commission at such time and in the manner prescribed by rules and regulations of the commission.

SECTION 8. Stores not to sell below cost.—No store shall either directly or indirectly sell, advertise, or offer to sell below cost nor give within this State, any of the products covered by this act for the purpose of or with the effect or intent of: (1) unfairly diverting trade from a competitor; (2) restraining, lessening or destroying competition; (3) creating a monopoly; (4) injuring a competitor; (5) or otherwise impairing or disrupting the orderly marketing of the products. Furthermore, it shall be unlawful for any store to combine the price of any other commodity or service with the price of any product covered by this act, whereby the effect would be to reduce the price of any product covered by this act below the cost thereof.

A. The provisions of this section shall not prohibit a store from meeting in good faith the legal prices of any competitor selling the same product, whether such competitor be another store or any person required to be licensed by this act.

B. No store within this State shall purchase for, consign to, or otherwise make available any of the products covered by this act to another store for the purpose of or with the intent or effect of aiding or abetting such store in a violation of this act or for the purpose of effectively aiding such store in circumventing any order issued by the commission pursuant to the provisions of this section.

C. After due written notice to any store found by the commission to be violating any provision of this section and the opportunity of a hearing before the commission, and after affording such store an opportunity to comply with the provisions of this section, it shall be the duty of the commission to issue an order directing all persons licensed to operate within the market in which such store is located to discontinue selling or otherwise making available to the store named in such order on the date specified therein any product covered by this act and specified in the order.

(1) Upon receipt of a written request from any store affected by an order issued pursuant to paragraph D of this section the commission shall afford such store an opportunity of a prompt hearing. After determination by the commission at such hearing that the necessary action has been taken by the person requesting the hearing to comply with the provisions of this section the commission shall withdraw any order affecting such person which has been issued.

SECTION 9. Milk not to be shipped into State without permit.—No person shall ship, bring, or cause to be brought into this State

any bulk milk, or processed milk or milk products, for fluid distribution, without first applying for and obtaining from the commission a permit authorizing such person to ship such products into this State.

A. The commission shall, before issuing any permit required by this section, require each applicant to submit to the commission in duplicate, on forms furnished by the commission, the following: (1) an application for permit; (2) a certificate from the State agency charged with the duty of inspecting and grading at the point of origin all bulk milk received by the applicant or all processed milk or milk products offered for sale by the applicant; and (3) a certificate signed by the applicant showing the name and address of each person from whom the applicant regularly obtains bulk milk or processed milk and milk products, the grade thereof, and the name of the rating agency grading such products. The commission shall forward to the South Carolina State Board of Health one complete copy of each application received pursuant to this section.

B. Upon receipt of an application duly submitted and after determination by the commission, through inspection or otherwise as the commission may deem necessary, that all bulk milk received by the applicant and that the applicant's facilities for receiving, processing, and handling milk and milk products meet the minimum health standards established by the South Carolina State Board of Health governing such products offered for sale in this State, the commission may issue: (1) a permit to any applicant authorizing such person to ship bulk milk into the State during the period or in the amount allowed by the permit. Such permit shall be conditioned upon the permittee giving the commission an advance notice, in the form and manner and supplying such information as the commission may require, prior to each shipment of bulk milk into the State; or (2) a permit to any applicant authorizing such person to ship processed milk or milk products into the State on regular established sales routes, to subsidiaries, affiliates, or subdistributors. Permits issued pursuant hereto authorizing any person to ship processed milk and milk products into this State shall remain in effect from the date issued through December thirty-first next succeeding, with proper authority to be renewed.

C. The commission shall not issue a permit required by this section to an applicant for a grade of milk higher than the lowest grade of bulk milk produced or obtained from others by the applicant.

D. All applications submitted to the commission during any calendar year for permits required by this section shall become null and void on December thirty-first of each year.

E. The provisions of this section shall not prohibit the commission from securing information regarding the grade or purity of any milk or milk products from the South Carolina State Board of Health or any agency within or without this State charged with the duty of inspecting and grading such products. However, such information shall not relieve the commission of the duty of determining, by inspection or otherwise as deemed necessary by the commission, whether or not any permit authorized to be issued by this section should be issued.

SECTION 10. Milk not to be received into State without permit.—No person shall receive, bring or cause to be brought into this State from another state any bulk milk, or processed milk and milk products for the purpose of fluid distribution without first requesting and obtaining a permit from the commission authorizing such person to receive such products from a source located outside the State.

A. The commission may, upon receipt of a request or application, in the manner prescribed by or on forms furnished by the commission issue to any licensee: (1) a permit authorizing such person to receive bulk milk from sources located outside this State during the period or in the amount allowed by the permit; *provided*, however, that such milk may be received only from sources inspected and approved by the commission, and from persons holding current permits as required by Section 9 of this act; or (2) a permit authorizing such person to receive processed milk and milk products from the source or sources specified in the permit located outside this State which have been inspected and approved by the commission. Permits issued pursuant hereto authorizing any person to receive processed milk and milk products shall remain in effect from the date issued through December thirty-first next succeeding, with proper authority to be renewed.

SECTION 11. Milk brought into State to be graded and labeled.—The commission shall prohibit any bulk milk or processed milk and milk products from being brought into this State without being properly graded and labelled as prescribed by the commission, and according to the laws of this State governing the products and any rules and regulations duly promulgated thereunder.

A. It shall be the duty of the commission to issue and enforce a written "Stop Sale, Use or Removal Order" to the owner or custodian of any bulk milk or processed milk and milk products imported or brought into this State, and to hold such products at a place designated by the commission, when the commission finds that: (1) such products do not meet the minimum health requirements or quality standards established by the laws of this State and rules and regulations duly promulgated thereunder governing the products; or (2) such products were brought into or received within this State without obtaining in advance the permits required by Sections 9 and 10 of this act, or in violation of any other provisions of such sections or rules and regulations adopted pursuant thereto.

B. Any person to whom a "Stop Sale, Use or Removal Order" has been issued shall hold the products covered by such order at a place, designated by the commission, until the law or regulations have been complied with or the violation has been legally disposed of as evidenced by authority of the commission, or until receipt of a written order from the commission directing such person to remove the products from this State. The commission shall release any products withdrawn from sale when the requirements of the provisions of this act have been complied with and upon payment to the commission by the person shipping or the licensee receiving the products withdrawn from sale, all cost and expenses incurred in connection with the withdrawal.

SECTION 12. Permittees to comply with act—suspensions.—

All permits issued under the authority of Sections 9 and 10 of this act are conditioned upon compliance by the permittee with all the provisions of this act, the laws of this State, and rules and regulations duly promulgated thereunder.

A. The commission, upon a twenty-four hour notice to any permittee, is authorized to suspend any permit issued under the authority of such sections if it is found by the commission that any of the conditions of the permit or provisions of this act have been violated. The holder of a permit so suspended shall be privileged at any time to apply for the reinstatement of such permit. The commission shall, immediately after prompt hearing, reinstate such permit if it is found that adequate measures have been taken to comply with and maintain the conditions of the permit as originally issued or as amended, and to comply with all other provisions of this act which may have been violated.

B. The commission may, after due notice and opportunity to a permittee for a hearing before the commission, revoke any permit issued under the authority of Sections 9 and 10 of this act upon a finding at such hearing that any condition of a permit issued or any provisions of this act have been violated.

SECTION 13. Construction of act.—Any construction of the provisions of this act is hereby expressly limited as provided by this section and shall not be construed or extended: (1) to limit the authority of the South Carolina State Board of Health relating to milk and milk products within this State as provided in Section 32-8, Code of Laws of South Carolina, 1952, or to limit the authority of the South Carolina Department of Agriculture, relating to frozen desserts and frozen dairy foods, as provided in Title 32, Chapter 12, Article 6, Code of Laws of South Carolina, 1952, as amended, and Act 257 of 1955. The provisions of this act shall be in addition to or an extension of such authorities as herein referred to in the Code; (2) to dairy farms located outside this State which produce and deliver bulk milk regularly to any distributor located within this State under a permit issued by the South Carolina State Board of Health or any political subdivision of this State; (3) to prohibit any political subdivision of this State from adopting any rule, regulation or ordinance governing milk and milk products which establishes higher standards of sanitation or quality than those established by the South Carolina State Board of Health; (4) to give the commission the authority to require permits to ship, bring or receive in this State evaporated and condensed milk or milk products in powdered form for use in manufacturing or for resale by stores to consumers, or frozen desserts and frozen dairy foods; and (5) to apply to foreign or interstate commerce, except insofar as the same may be effective pursuant to the Constitution of the United States and the laws of the United States enacted pursuant thereto.

SECTION 14. Powers and duties—further.—The commission is hereby authorized and empowered for the purposes of properly administering and effectively enforcing this act:

A. To issue such orders and to promulgate rules and regulations as shall be necessary to make the provisions of this act effective and to insure the proper enforcement thereof. Every rule and regulation adopted or order issued by the commission, authenticated by the signature of the director, shall for all purposes be deemed to be a certified copy.

(1) All rules and regulations adopted by the commission shall be posted for public inspection in the main offices of the commission, a certified copy filed in the offices of the Secretary of State, and copies mailed to all licensees or permittees affected thereby. Such rules and regulations when duly posted shall have the force and effect of law.

(2) An order applying only to a person or persons named therein shall be served on the person or persons affected by personal delivery or by mail. In the case of an order applying to a corporation the order shall be served in the manner provided on any officer or agent of the corporation upon whom a summons may be served in accordance with the provisions of the laws of this State.

(3) Any person as defined in this act aggrieved by an order or act of the commission shall have the right of appeal to the court of common pleas. The appeal to the court shall be heard and determined on the record made before the commission, and on such additional evidence as the parties offer, subject to the rules of evidence as enforced in other legal proceedings. Notice of intention to appeal from such order of the commission shall be in writing and served upon some officer of the commission at its office in the City of Columbia within ten days from the service of such order upon the party appealing.

B. To require each distributor, on or before the twentieth of each month, to make a report under oath to the commission upon such forms and containing such information as may be prescribed by the commission for the effective enforcement of this act.

C. To require each licensee to maintain records of all bulk milk, processed milk and milk products, frozen desserts and frozen dairy foods; and any products used in the processing, manufacturing, or packaging thereof, and to keep such records of all such products received, produced, processed, manufactured, packaged and sold. The details of the records to be maintained and kept by each distributor as herein provided shall be established by the commission as it may deem necessary for the proper administration and effective enforcement of this act. Each member of the commission and employees or agents thereof are hereby expressly prohibited from divulging to any person the contents of any document or record examined in the performance of their duties or any information obtained in the course of an investigation, except as may be required for the proper enforcement of this act.

D. To authorize its employees or agents to enter all places or things, except private homes, where any of the products covered by

this act are produced, processed, manufactured, stored, transported, sold or offered for sale, or otherwise handled, and where books and records relative thereto are kept for the purposes of: (1) inspecting such places and equipment therein or to obtain samples of the products, insofar as the provisions of this act are applicable; and (2) for the purposes of auditing, photographing, marking for identification, or otherwise inspecting such books and records. The designated employees or agents of the commission shall have free access to and may enter at all reasonable hours the places referred to in this paragraph for the purposes provided herein.

E. To call public hearings, administer oaths, and preserve order at such hearings. Such hearings shall be called after due notice to all particularly interested parties and after due notice to the public through such media as the commission may deem necessary to afford sufficient publicity. At such hearings all interested persons shall be given reasonable opportunity to be heard.

F. To call meetings from time to time of licensees for the purpose of inquiring into marketing practices prevailing in the State with respect to the marketing of any products covered by this act, and if necessary to conduct hearings for the purpose of making findings relative to any marketing practices prohibited by or contrary to the intent of the provisions of this act or rules and regulations promulgated pursuant thereto.

G. To conduct investigations or surveys as the commission may deem necessary for the purposes of obtaining information regarding prevailing good business practices with respect to conditional sales contracts, rental or lease agreements and maintenance or service contracts, and the terms, interest charges, rates and conditions relative thereto covering any types of fixtures and equipment sold, rented or leased to wholesale consumers or maintained and serviced for wholesale consumers by any person required to be licensed by this act.

H. To institute such actions at law or in equity as may appear necessary to enforce compliance with any provision of this act or with any rule and regulation duly promulgated or order issued by the commission.

I. To issue subpoenas during the course of any hearing or investigation requiring the attendance and testimony under oath of, or the production of books and records by, any person believed to have information of importance or possessing any books or records of importance to the hearing or investigation.

(1) Any person who refuses to obey a subpoena issued by the commission, or refuses to be sworn or affirmed, or to testify or who is guilty of any contempt after summons to appear, may be punished for contempt of court. For this purpose, an application may be made by the commission to the court of common pleas within whose territorial jurisdiction the hearing or investigation is being conducted.

J. To grant exemptions from any provisions of this act with respect to the sale of any products covered by this act to this State or any agency or department thereof, or to any public institution supported by public funds, and to bona fide charities or nonprofit institutions.

K. To confer and cooperate with legally constituted authorities of other states and of the United States in the interest of securing greater uniformity in the marketing of milk with respect to trade practices prevailing in the marketing of any products covered by this act, and may join with such authorities to conduct joint investigations, to exchange information, hold joint hearings, and issue joint, complementary or concurrent orders, and to enter into compacts necessary in achieving a greater uniformity in the marketing of milk and to preserve free and fair competition in the trade and commerce of the products covered by this act.

SECTION 15. Assessment for operation of commission.—In addition to any amount appropriated by the Legislature out of the general fund for the operation of the commission, any expenses, including salaries, travel or per diem found necessary for the proper and effective administration and enforcement of this act shall be met by a maximum rate of assessments as follows: (1) an assessment of one cent per hundred pounds of grade "A" milk received by distributors located within this State from producers and other sources; *provided*, however, the assessment shall not apply to milk from other sources received or purchased by a distributor which has previously been subjected to the assessment as herein provided; and (2) an assessment of one cent per hundred pounds of milk and fluid milk products, except cream and milk-cream mixtures in excess of four per cent butterfat, in which case the assessment shall apply to the four per cent milk equivalent per hundred pounds of such products, and an assessment of two cents per hundred pounds of frozen desserts and frozen dairy foods sold by licensed distributors located within this State. The assessment herein provided shall also apply to all products, on which an assessment is due, sold within this

State by any distributor located outside this State and required to be licensed by this act.

A. All assessment fees imposed under this section shall be paid to the commission by each distributor on or before the twentieth day of the month following the month in which any products subject to the assessments herein provided are received or sold. The assessment on milk received from producers shall be deducted by the distributors from each producer's final monthly settlement for milk received during any month. The method of determining the assessment and such other information as the commission may require relative thereto shall be made on forms provided by the commission. The commission may temporarily suspend the assessments provided for in this section during any month or months when the funds received exceed the amount necessary for the administration and enforcement of this act.

B. All receipts from assessments collected under this section shall be paid by the commission to the State Treasurer and shall be credited to an account known as the "Dairy Commission Account", and such an amount as may be necessary, and no more, is hereby appropriated out of the "Dairy Commission Account" as may be necessary for the proper administration and effective enforcement of this act.

C. The commission shall have its books and records audited annually by the State Auditor and shall make a full report of its proceedings to the Budget and Control Board annually as may be required by the board.

SECTION 16. Persons guilty of certain acts to be penalized.—Solicitation by, or collusion or joint participation between or among, any manufacturer, distributor, wholesale consumer, or any representative thereof, to violate any of the provisions of this act and regulations or orders issued pursuant thereto, or the use of any misrepresentation, threat, intimidation or boycott to effectuate the commission of such violations, shall make all persons participating therein subject to the penalties of this act.

SECTION 17. Penalties.—A violation of any provision of this act shall be a misdemeanor punishable by a fine not exceeding fifty dollars, or by imprisonment not exceeding ten days, and each day during which such violation shall continue shall be deemed a separate violation.

SECTION 18. Saving clause.—If any section or part of this act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of other sections or parts thereof.

SECTION 19. Repeal—Acts 230 of 1953 and 255 of 1955 repealed.—Act No. 230 of 1953 and Act No. 255 of 1955 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor, except that Section 6 shall not be enforced or otherwise declared effective unless and until the commission after public hearing shall find that the producers of milk in South Carolina are in danger of economic destruction; except that Section 8 shall not be enforced or otherwise declared effective unless and until the Commission after public hearing shall find that the producers of milk in South Carolina are in danger of economic destruction.

Approved the 15th day of May, 1961.

(R460, H1138)

No. 320

An Act To Amend Section 12-706, Code Of Laws Of South Carolina, 1952, Relating To The Exemption Of Foreign Corporations From The Provisions Of Chapter 11 Of Title 12 When The Sole Business Of The Corporations Is The Lending Of Money Secured By Mortgages On Real Estate Located Within The State, So As To Specifically Include Insurance Companies.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 12-706, 1952 Code, amended—chapter not applicable to certain foreign corporations.—Section 12-706, Code of Laws of South Carolina, 1952, is amended by adding after the word “corporations” on line 2 “, including insurance companies,” so that when amended the section shall read as follows :

“Section 12-706. The provisions of this chapter, other than Sections 12-725 and 12-732, shall not be applicable to nor affect foreign corporations, including insurance companies, doing business in the State, nor the maintenance of a place of business in the State nor the appointment of a servicing agent or agents therein by such corporations when the sole business of the corporation within the State is

the lending of money secured by mortgages on real estate located within the State. Such corporations shall file with the Secretary of State the following:

- (1) Name and address of the corporation;
- (2) The name of the state wherein it was chartered; and
- (3) A written appointment designating the Secretary of State and his successors in office as agent for the corporation upon whom service of process may be perfected.

And such corporation shall pay a fee of fifty dollars."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R462, H1801)

No. 321

An Act To Define The Term "Patrons Of The Water Authority" As Contained In The Act Creating The Belton-Honea Path Water Authority; To Further Provide For Elections For Members Of The Belton-Honea Path Water Authority; To Provide For The Filling Of Vacancies Occurring During The Term Of A Member Of The Authority; And To Authorize And Empower The Municipalities Of Belton And Honea Path And Other Public Bodies And Public Agencies To Contract With The Belton-Honea Path Water Authority.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. "Patrons of the Water Authority" defined.—The term "patrons of the water Authority" as contained in Section 4 of Act 76 of 1961 (R114) creating the Belton-Honea Path Water Authority, shall include all persons who are water patrons of any municipality or other public agency furnished water by the Authority.

SECTION 2. Election of members of Belton-Honea Path Water Authority—voting places—voters eligible.—Notwithstanding the provisions of Act 76 of 1961 (R114) at any election for members of the Belton-Honea Path Water Authority after the effective date

of this act, the election commissioners of Anderson County may establish voting places and define the area in which electors must reside to vote at such voting places, without regard to the voting places established by law for State and county elections. Only those qualified electors shall vote at the election whose names shall appear upon the lists of the water patrons of the Authority and water patrons of the municipalities and other public agencies who purchase water from the Authority, prepared and certified to by the secretary of the Authority and the clerk of the municipalities and other public agencies respectively as being water patrons on the date thirty days before the date of the election.

SECTION 3. Vacancies.—Notwithstanding the provisions of Section 4 of Act 76 of 1961 (R114) in case of a vacancy before the expiration of any term of office of any member of Belton-Honea Path Water Authority, a successor shall be appointed by the other members of the Authority to serve the unexpired term of the person whose office has become vacant.

SECTION 4. Contracts to purchase water.—The municipalities of Belton and Honea Path and all public bodies and public agencies now or hereafter operating water distribution systems in Anderson County, shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority and to the contracting municipality, public body or public agency.

SECTION 5. Repeal.—All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistencies.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Chapter 4 To Title 52, So As To Provide For Recordation Of Instruments Creating Business Trusts With The

Clerk Of Court In The County Where The Trust Has Its Principal Place Of Business; To Require Filing Of Such Instrument With The Secretary Of State; To Provide For Suits By And Against Business Trusts; To Provide For Liability Of Trustees And Shareholders Therein; And To Provide For Service Of Process On Business Trusts; To Permit Real Estate Transactions And To Provide That Business Trust Shall Not Be Affected By Any Rule Against Perpetuities.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Title 52, 1952 Code, amended—Chapter 4 added—**instruments creating certain business trusts to be recorded—trust may sue or be sued—liability of shareholders or trustees—service of process.**—The Code of Laws of South Carolina, 1952, is amended by adding new Chapter 4 to Title 52 which shall read as follows :

“CHAPTER 4

Section 52-201. Every business trust created at common law in this State or doing business in this State under an express trust instrument by which property is held and managed by one or more trustees for the benefit and profit of such persons as may be or may become holders of transferable certificates evidencing beneficial interest in the trust estate shall record the trust instrument creating such trust and any amendment thereto with the register of mesne conveyances, or with the clerk of court in those counties where the office of register of mesne conveyances has been abolished, of the county in which it has its principal place of business in this State, and shall also file a verified copy of such instrument and any amendments thereto with the Secretary of State.

Real estate may be acquired, conveyed and mortgaged by the trustees in the name given to or used by the business trust.

A business trust shall not be affected by any rule against perpetuities.

Section 52-202. A business trust may sue or be sued in the name and style by which it conducts business without naming the individual shareholders therein, and the liability of such business trust shall extend to the whole of the trust estate, or so much thereof as may be necessary to discharge such liability, but the instrument creating such trust may provide that no personal liability will attach to the individual shareholders or trustees of the trust, and such provision

shall operate to limit the liability of the individual shareholders and trustees as to the obligations of the trust itself, but provided in all cases the trustees shall be liable for breach of trust.

Section 52-203. Service of process may be made on any business trust organized in this State or doing business in this State in the same manner that domestic and foreign corporations, respectively, are served."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R464, H1697)

No. 323

An Act To Provide Supplemental Appropriations And Regulations For The Fiscal Year 1960-1961, And To Provide As Permanent Measures For The Creation Of An Advisory Committee On Technical Industrial Training, Outline Its Functions And Provide Funds Therefor, And To Authorize The Purchase Of Certain Bonds Of Bushy Park.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subject to the terms and conditions of this act there is hereby appropriated out of the State Treasury the following sums of money, if so much be necessary, to supplement or further provide for operating expenses of the State Government applicable to the fiscal year 1960-1961, and for such other purposes as may be hereinafter designated.

SECTION 2. Legislative Department

Item 1. The Senate

Subsistence	\$ 4,700.00
Salaries of Senators	18,400.00
Mileage and Stationary	4,800.00
Approved Accounts	80,000.00
Sinking Fund Commission	15,000.00

Item 2. House of Representatives	
Mileage and Stationery	\$ 10,094.00
Subsistence	12,400.00
Approved Accounts	80,000.00
Item 3. Legislative Council	
Approved Accounts	\$ 23,882.00
A-3. Special Payments—Proof Readers	3,500.00
<hr/>	
Total—Legislative Department	\$252,776.00

SECTION 3. For adjustment of retirement compensation for the fiscal year 1960-61 of retired Judges G. Duncan Bellinger, William H. Grimbball, J. Henry Johnson, and Marvin M. Mann, \$1,000-.00 each \$ 4,000.00

SECTION 4. The Governor's Office
Item 3. Law Enforcement—Operating Expense \$ 10,000.00

SECTION 5. The Comptroller General's Office
Item 3. Elections—Election Expenses \$ 2,500.00

SECTION 6. University of South Carolina
To provide housing for a Neutron Generator donated to the Institution \$ 40,000.00

SECTION 7. Clemson College
For Livestock and Poultry Laboratory Expansion \$ 35,000.00

SECTION 8. School for the Deaf and the Blind
For Maintenance \$ 6,450.00

SECTION 9. Mental Health Commission
For Mental Health Research \$ 15,000.00
Provided, that any balance in this appropriation on June 30, 1961 may be carried forward and expended for the same purpose during the fiscal year 1961-1962.

SECTION 10. South Carolina Penitentiary
For Construction of a Lagoon to serve State Agencies Located in the Broad River Section .. \$ 60,000.00
For construction of sewer lines in the State Park area of Richland County \$ 70,000.00

SECTION 11. Industrial School for Negro Girls

For Maintenance\$ 4,065.00

SECTION 12. The State Budget and Control Board
State Buildings and Grounds—To Provide Heat-
ing and Air Conditioning for the Caughman

State Office Building\$ 46,000.00

SECTION 13. The State Board of Health

For Patrolling Coastal Shell Fish Areas\$ 25,000.00

Provided, that any balance in this appropriation
on June 30, 1961 may be carried forward and
expended for the same purpose during the fiscal
year 1961-62.**SECTION 14.** South Carolina Tax CommissionFor Administration of the Property Tax Manual
and Act No. 739, of 1960, and for Training
Necessary Personnel to aid County Assessors ..\$ 45,000.00*Provided*, that any balance in this appropriation
on June 30, 1961 may be carried forward and
expended for the same purpose during the fiscal
year 1961-1962.**SECTION 15.** South Carolina Insurance Department

For Administration\$134,417.00

SECTION 16. The Forestry Commission

Item 1. (1960-61)—For Additional Operating Expense \$ 8,000.00

Item 2. For bathhouse, picnic area, and water and sani-
tary system at Huntington Beach Park\$ 35,000.00Item 3. For painting, repairs, and equipment for Rose
Hill Plantation—Union County\$ 5,000.00
For caretaker and maintenance 5,000.00Item 4. For fencing and other protective measures at
Fort Dorchester\$ 5,000.00

Total—Forestry Commission\$ 58,000.00*Provided*, that in Items 2, 3 and 4 any balance
in these appropriations on June 30, 1961 may be
carried forward and expended for the same pur-
poses during the fiscal year 1961-1962.

SECTION 17. South Carolina Aeronautics Commission
For Construction of an Airport in Oconee
County in Conjunction with the Federal Gov-
ernment and Oconee County\$ 50,000.00

SECTION 18. Any balance in 1960-1961 appropriations on June 30, 1961 for the Public Service Commission may be carried forward and expended by the Commission, with the approval of the State Budget and Control Board, for operation of the Department during the fiscal year 1961-1962.

SECTION 19. The State Budget and Control Board is authorized to transfer the amount of \$10,500.00 provided for the fiscal year 1960-1961 for the operation of the Alcoholic Rehabilitation Center to the construction fund of this agency.

SECTION 20. The State Budget and Control Board is hereby authorized to continue negotiations with the Bushy Park Authority, the County of Charleston, the City of Charleston, and Berkeley County with the purpose of protecting the State's interests in the Property of the Authority, and to this aim it is authorized to take such measures as may be deemed necessary upon the conditions hereinafter set forth including the purchase of all Series A bonds having a face amount of \$2,136,000.00 at a price of not to exceed \$500,000.00 together with any and all rights incident to the holder or holders of such bonds.

SECTION 21. **Following sections to be permanent laws.**—The following sections are hereby declared to be permanent laws of the State and the Code Commissioner is hereby directed to include the same in the 1962 Code of Laws and any supplements thereto.

SECTION 22. **Section 9 of Act 818 of 1960 amended—moneys collected from sale of prison made goods may be used to pay obligations to Division of Sinking Funds and Property.**—Section 9 of Act No. 818 of the Acts of 1960 is hereby amended on line 12 of said section as printed in the Acts and Joint Resolutions of that year, by inserting on line 12 of said section between the words “and to otherwise defray the necessary expenses incident thereto” and the words “all of which shall be under the direction, etc.” the following: “and to discharge any existing obligation to the Sinking Funds and Property Division of the State Budget and Control Board”.

SECTION 23. Advisory Committee for Technical Training created—appropriation for—appropriation for Denmark Area Trade School.—(a) There is hereby created the Advisory Committee for Technical Training which shall consist of eight members. Six of the members are to be appointed by the Governor upon the advice and consent of the Senate. *Provided*, one member shall be appointed from each Congressional district. The Director of the Development Board and the State Superintendent of Education shall be ex officio members. The Committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter, the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the Governor and the General Assembly.

(b) The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: (1) A crash program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) increased emphasis on industrial arts programs and basic industrial vocational programs within existing high school curriculums; (3) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry and (4) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee shall cooperate with the State Development Board and the State Department of Education in the carrying out of these programs. The committee may purchase such equipment, hire such personnel, including an industrial engineer, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this section, subject to the approval of the State Board of Education.

(c) In order to qualify, a county or area must comply with the following requirements:

- (1) Be required to make available a proper building which will meet reasonable specifications to be determined by the committee;

- (2) The area or county must agree to maintain the facility, to operate it as needed for adult pre-employment, adult extension and high school pre-employment training, as well as to provide the necessary administrative services and transportation of regular high school students where justified. It is recommended that state transportation policies be amended when necessary to make this possible; and
- (3) That there be provision for adequate local supervision.
- (d) For the fiscal year 1960-1961 there is hereby appropriated, from the General Fund to implement the purposes of this section, the sum of \$250,000.00, and \$30,000.00 for construction work at Denmark Area Trade School from the General Fund. *Provided*, however, that any balance remaining in these appropriations on June 30, 1961 may be carried forward and expended for the same purposes during the fiscal year 1961-1962.

SECTION 24. Section 6 of Act 207 of 1961 amended—minimum retirement allowance for certain teachers and state employees.—Act No. R-311, the General Appropriations Bill for the year 1961-1962, is hereby amended by striking out Section 6, Part II, of said act and substituting therefor the following:

“Act No. 610 of the Acts of 1954, as amended, is hereby amended by striking out the words ‘a minimum of \$60.00 per month’ and inserting in lieu thereof the following: ‘a minimum of \$70.00 per month. This section shall take effect on July 1, 1961.’”

SECTION 25. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

An Act To Create The Laurens County Library.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Laurens County Library created.—There is hereby created an eleemosynary corporation under the control of the State,

under the name of Laurens County Library which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointments—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, seven in number, to be appointed by the Laurens County Legislative Delegation and to serve without pay. Four of the trustees shall be residents of urban areas of the county and three shall be residents of rural areas of the county. The original appointments shall be made two for the term of one year, two for a term of two years, and three for a term of three years, and until their successors have been appointed and qualified. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of three years and until their successors shall have been appointed and qualified. Vacancies shall be filled for unexpired terms as they occur by the appointing power. Members of the board may be appointed to succeed themselves.

SECTION 3. Officers—bonding of—meetings.—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed expedient and may make such rules and regulations for the conduct of its business, not inconsistent with law. The board may require of its treasurer and librarian a suitable bond for the faithful performance of their respective duties. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 4. Employ librarians and other personnel.—The board shall have the entire and exclusive control and management of the Laurens County Library and shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be employed.

SECTION 5. Powers and duties.—The Laurens County Library may, by way of amplification and classification but without limiting the generality of powers conferred on it by Section 1: (1) purchase, lease, hold, and dispose of real estate and personal property; (2) acquire books and other informational material and provide for their circulation throughout each and every section of the county; (3)

accept donations of land, services, materials, books and other things for the establishment and equipping of libraries; (4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals; (5) co-operate or enter into contracts with any state or federal agency when by so doing it will receive substantial aid in carrying out the purposes of the library; (6) enter into contracts with other counties to operate regional or joint libraries and facilities; (7) generally to do all things necessary and proper to establish, equip, maintain, and operate a county library system.

SECTION 6. Further.—The board of trustees shall provide and make available to the citizens of Laurens County good books and informational material. To that end the board, in the name of the corporation, shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board, acquire books and other informational material, facilities and equipment, and make such rules and regulations, not inconsistent with law, as it may deem necessary to insure the effective and efficient maintenance and operation of a county library system.

SECTION 7. Board members not to contract with board.—No member of the board of trustees shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations and expenditures.—There shall be provided such sum as is appropriated by the annual Laurens County Appropriations Act for the support and maintenance of the county library system. Approval of the chairman and treasurer of the library board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman of the library board and the treasurer of the library board, such claim or voucher shall constitute a valid obligation against the funds credited to the account of the Laurens County Library. This account shall be audited each year by the public accountant annually engaged by the grand jury to audit county finances.

SECTION 9. Reports.—The board shall annually, on or before September 1 of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and book-

mobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its service, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1961.

(R466, H1769)

No. 325

An Act To Provide That No Warrant Issued By Any Magistrate In Laurens County Based On A Worthless Check Shall Be Withdrawn Until A Fee Of Two Dollars And Fifty Cents Has Been Paid And To Provide That Such Fee Shall Be Retained By The Magistrate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County—warrants for bad checks not to be withdrawn until fee paid.—No warrant issued by a magistrate in Laurens County based on a worthless check shall be withdrawn until a fee of two dollars and fifty cents has been paid to the magistrate issuing such warrant by the person responsible for the withdrawal. In each such case the magistrate shall be entitled to retain the whole fee in addition to all other compensation to which he is entitled.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R468, S165)

No. 326

An Act To Amend Section 23-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Candidates Nominated By Petition, So As To Lengthen The Time Limit For Filing A Petition And Requiring The Petition To Be Made Public.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-313, 1952 Code, amended—nomination of candidates by petition.—Section 23-313, Code of Laws of South Carolina, 1952, as amended, is further amended by striking the section in its entirety and inserting in lieu thereof the following :

“Section 23-313. Other candidates for one or more of such offices shall be placed upon the ballot upon the filing with such officer, commissioners or other authority, as the case may be, at least ninety days prior to the date of the holding of the election, of a petition or petitions nominating such candidates signed by registered electors as follows: for an office voted for by the registered electors residing in an area less than a county (other than a city or town having more than ten thousand inhabitants), one hundred or more registered electors in such area; *provided*, however, that for a municipal office voted for by the registered electors of a municipality having a population of less than one thousand inhabitants, fifty or more registered electors residing in such municipality; for an office voted for by the registered electors residing in a county, or in a city or town having more than ten thousand inhabitants, one thousand or more registered electors residing therein; for an office voted for by the registered electors residing in a judicial circuit or congressional district, a number of registered electors equal to the number of the counties in such circuit or district multiplied by five hundred; and for an office voted for by the registered electors residing in the State, ten thousand or more registered electors residing therein. No candidate who may be defeated in a party primary shall be placed on the general election ballot by petition or otherwise.

Within ten days after the receipt of a petition, the original shall be filed with the Secretary of State, the clerks of court of the respective counties or the clerk of a municipality, and the filing shall constitute a public record.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R469, S216)

No. 327

An Act To Amend Section 59-622, Code Of Laws Of South Carolina, 1952, Relating To The Use Of Loans From The United States Government To Meet The Cost Of Constructing Electric Light, Water Supply, Fire Protection Or Sewerage Systems, So As To Delete An Obsolete Portion.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 59-622, 1952 Code, amended—certain light, water, fire or sewerage districts may borrow from U. S. Government.—Section 59-622, Code of Laws of South Carolina, 1952, is amended by striking on line five the words “the Reconstruction Finance Corporation” and inserting in lieu thereof the words “any office or agency thereof” so that the section when amended shall read as follows:

“Section 59-622. The board of commissioners of any electric light, water supply, fire protection and/or sewerage district may avail itself of any provision for loans to construct electric light systems, water supply systems, fire protection systems or sewerage systems from the United States Government, through any office or agency thereof, and may issue revenue bonds pledging the income from any such system in liquidation of any loan made as aforesaid by the United States Government.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R470, S218)

No. 328

An Act To Require Licensing Of Certain Hospitals, Sanitariums, Homes And Institutions Furnishing Care And Treatment To The Mentally Ill Or Mentally Defective, Epileptic, Drug Addicted Or Alcoholic, And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain institutions to be licensed by Mental Health Commission.—No hospital, sanitarium, home, or other institution shall be operated or maintained, in part or in full, for the care and treatment of the mentally ill or mentally defective, epileptic, drug addicted or alcoholic unless a license is first obtained from the South Carolina Mental Health Commission, as hereinafter provided.

SECTION 2. Form—fee—exceptions.—Such license shall be obtained on or before July first of each year and shall be in such form as may be prescribed by the commission. Such license shall not be transferable or assignable. The fee for such license shall be ten dollars for the first ten beds plus twenty-five cents for each bed in excess of ten beds. The license shall be in force for a period of one year, unless sooner suspended, revoked or surrendered. No license need be obtained by any such institution maintained by the State, and in the case of such institutions maintained by counties and municipalities, no license fee need be charged. No such institution shall accept patients for care and treatment other than that for which it is licensed.

SECTION 3. Reports and inspections.—Such institutions shall at all times be subject to the visitation of the commission, any member thereof, and its director. Each such institution shall make reports to the commission on such forms and at such times as may be prescribed by the commission. The report shall include the number of all such patients admitted, the number discharged, the number in residence, the names of the officers and employees of the institution and such other information as may be required by the commission. Each institution shall upon request file with the commission a copy of its bylaws, rules and regulations and rates of charges. The books and records of each institution shall at all times be open to the inspection of the commission, any member, and the director.

SECTION 4. Powers and duties.—The commission is hereby given the authority to inspect, investigate and regulate all such hospitals,

sanitariums, homes and institutions in this State for the treatment of the above classes of people insofar as the care and treatment of such patients are concerned. It shall have power to prescribe, require and enforce minimum standards regulating safety, sanitation, and medical, nursing and therapeutic care and other standards covering all facilities and equipment for such institutions and may promulgate such other rules and regulations as it deems necessary.

SECTION 5. Commission may deny, suspend or revoke licenses.

—The commission shall deny, suspend or revoke licenses on any of the following grounds:

(1) Violation of any of the provisions of this act or the rules and regulations lawfully promulgated hereunder;

(2) Permitting, aiding or abetting the commission of any unlawful act; and

(3) Conduct or practices detrimental to the health or safety of patients and employees of any such institutions, but this provision shall not be construed to have any reference to healing practices authorized by law.

SECTION 6. Procedure for denial, suspension or revocation of licenses—appeals.

—Should the commission determine to deny, suspend or revoke a license, it shall send to the applicant or licensee, by registered mail, a notice setting forth the particular reasons for the determination. The denial, suspension or revocation shall become final thirty days after the mailing of the notice, unless the applicant or licensee, within such thirty day period, shall give written notice of his desire for a hearing. If the applicant or licensee shall give such notice he shall be given a hearing before the commission and may present such evidence as may be proper. On the basis of such evidence the determination involved shall be affirmed or set aside and a copy of such decision, setting forth the finding of facts and the particular reasons upon which it is based, shall be sent by registered mail to the applicant or licensee. The decision shall become final thirty days after it is mailed, unless the applicant or licensee, within such thirty day period, appeals the decision pursuant to Section 8 of this act.

SECTION 7. Hearings.—The procedure governing hearings authorized by Section 6 of this act shall be in accordance with rules promulgated by the commission. A full and complete record shall be kept of all proceedings and all testimony shall be reported but need not be

transcribed unless the decision is appealed pursuant to Section 8 of this act, or a transcript is requested by an interested party who shall pay the cost of preparing such transcript. Witnesses may be subpoenaed by either party and shall be allowed fees at a rate prescribed by rules.

SECTION 8. Appeals—further.—Any applicant or licensee who is dissatisfied with the decision of the commission as a result of the hearing provided for by Section 6 of this act may, within fifteen days after receiving notice of the decision, appeal to the circuit or other appropriate court of the county in which the applicant or licensee is located for judicial review of the decision. Thereupon the commission shall promptly certify and file with the court the transcript of the hearings on which the decision is based. Findings of fact by the commission shall be conclusive unless substantially contrary to the weight of the evidence, but upon good cause shown the court may remand the case to the commission to take further evidence and the commission may thereupon make new or modified findings of fact which shall likewise be conclusive unless substantially contrary to the weight of the evidence. The court may affirm, modify or reverse the decision of the commission and either party may appeal from the court's decision in the manner provided by the laws of the State with regard to appeals from such courts. Pending final disposition of the matter the status quo of the applicant or licensee shall be preserved.

SECTION 9. Commission may institute legal actions.—The commission may, in accordance with the laws of the State governing injunctions and other processes, maintain an action in the name of the State against any person for establishing, conducting, managing or operating any hospital, sanitarium, home or other institution for the care and treatment of the mentally ill or mentally defective, epileptic, drug addicted or alcoholic, without first obtaining a license as herein provided. In charging any defendant in a complaint in such action, it shall be sufficient to charge that such defendant did, upon a certain day and in a certain county, establish, conduct, manage or operate such institution without a license, without averring any further or more particular facts concerning the same.

SECTION 10. Inspections.—The commission shall make or cause to be made such inspections as it may prescribe by regulation.

SECTION 11. Alterations or additions to be approved.—The commission may prescribe by regulations that any licensee or prospec-

tive applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alterations, additions or new construction, submit plans and specifications therefor to the commission for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

SECTION 12. Information to be confidential.—Information received by the commission through inspection or otherwise, authorized under this act, shall not be disclosed publicly in such manner as to identify individuals or institutions except in a proceeding involving the question of licensing or revocation of license, or unless ordered to do so by a court of competent jurisdiction.

SECTION 13. Penalties.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars for the first offense and not more than five hundred dollars for each subsequent offense. Each day such institution shall operate after a first conviction shall be considered a subsequent offense.

SECTION 14. Exceptions.—The provisions of this act shall not apply to Whitten Village, nor to any general hospital required to be licensed by the State Board of Health.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R471, S243)

No. 329

An Act To Authorize The Governing Body Of Any Municipality To Construct Or Permit The Construction Of Certain Motor Vehicle Parking Facilities Which Encroach Upon Or Project Over A Public Sidewalk In Shopping Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Municipalities may authorize parking facilities which encroach over public sidewalks.—A municipality may con-

struct or authorize the construction of motor vehicle parking facilities which encroach upon or project over a public sidewalk in the shopping districts of such municipality. *Provided*, that any such encroachment or projection shall be, in the opinion of the municipality's governing body, of a sufficient height above the sidewalk so as not to impede or interfere with normal pedestrian or vehicular movement; *provided*, further, that no such parking facility shall be allowed to encroach upon or project over any street within the State Highway System or which has been constructed or improved with Federal aid funds, but this provision shall not apply to any such parking facility constructed or in the process of construction at the time of the passage of this act. *Provided*, further, that the encroachment or projection of any such parking facility shall be removable and shall be removed, without compensation, upon reasonable notice given by the governing body of the municipality that the area subject to encroachment or projection is needed for street widening purposes or that the encroachment or projection interferes with normal pedestrian or vehicular movement.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R473, S205)

No. 330

An Act Relating To Gifts Of Securities And Money To Minors And To Repeal Act No. 638, Of The Acts Of 1956, Concerning Gifts Of Securities To Minors.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—In this act, unless the context otherwise requires :

(a) An "adult" is a person who has attained the age of twenty-one years.

(b) A "bank" is any bank, trust company, national banking association, or industrial bank.

(c) A "savings and loan association" is a state chartered savings and loan association, building and loan association or a federally chartered savings and loan association.

(d) A "broker" is a person lawfully engaged in the business of effecting transactions in securities for the account of others. The term includes a bank which effects such transactions. The term also includes a person lawfully engaged in buying and selling securities for his own account, through a broker or otherwise, as a part of a regular business.

(e) "Court" means the court of common pleas.

(f) "The custodial property" includes:

(1) all securities and money under the supervision of the same custodian for the same minor as a consequence of a gift or gifts made to the minor in a manner prescribed in this act;

(2) the income from the custodial property; and

(3) the proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment or other disposition of such securities, money and income.

(g) A "custodian" is a person so designated in a manner prescribed in this act.

(h) A "guardian" of a minor includes the general guardian or guardian of his property, estate or person.

(i) An "issuer" is a person who places or authorizes the placing of his name on a security (other than as a transfer agent) to evidence that it represents a share, participation or other interest in his property or in an enterprise or to evidence his duty or undertaking to perform an obligation evidenced by the security, or who becomes responsible for or in place of any such person.

(j) A "legal representative" of a person is his executor or the administrator, general guardian, guardian or committee of his property or estate.

(k) A "member" of a "minor's family" means any of the minor's parents, grandparents, brothers, sisters, uncles and aunts, whether of the whole blood or the half blood, or by or through legal adoption.

(l) A "minor" is a person who has not attained the age of twenty-one years.

(m) A "security" includes any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease, collateral trust certificate,

transferable share, voting trust certificate or, in general, any interest or instrument commonly known as a security, or any certificate of interest or participation in, any temporary or interim certificate, receipt or certificate of deposit for, or any warrant or right to subscribe to or purchase, any of the foregoing. The term does not include a security of which the donor is the issuer. A security is in "registered form" when it specifies a person entitled to it or to the rights it evidences and its transfer may be registered upon books maintained for that purpose by or on behalf of the issuer.

(n) A "transfer agent" is a person who acts as authenticating trustee, transfer agent, registrar or other agent for an issuer in the registration of transfers of its securities or in the issue of new securities or in the cancellation of surrendered securities.

(o) A "trust company" is a bank authorized to exercise trust powers in this State.

SECTION 2. Persons may give securities or money to minors—form.—(a) An adult person may, during his lifetime, make a gift of a security or money to a person who is a minor on the date of the gift:

(1) If the subject of the gift is a security in registered form, by registering it in the name of the donor, another adult person or a trust company, followed, in substance, by the words: "as custodian for under the South Carolina Uniform Gifts to (name of minor)

Minors Act";

(2) If the subject of the gift is a security not in registered form, by delivering it to an adult person other than the donor or a trust company, accompanied by a statement of gift in the following form, in substance, signed by the donor and the person designated as custodian:

**"GIFT UNDER THE SOUTH CAROLINA UNIFORM
GIFTS TO MINORS ACT**

I,, hereby deliver to.....
(name of donor) (name of custodian)
as custodian for under the South Carolina Uniform
(name of minor)

Gifts to Minors Act, the following security(ies): (insert an appropriate description of the security or securities delivered sufficient to identify it or them)

.....
(signature of donor)

..... hereby acknowledges receipt of the above de-
(name of custodian)
scribed security(ies) as custodian for the above minor under the
South Carolina Uniform Gifts to Minors Act.

Dated:
(signature of custodian)"

(3) If the subject of the gift is money, by paying or delivering
it to a broker, bank or a savings and loan association for credit to
an account in the name of the donor, another adult person or a bank
with trust powers, followed, in substance, by the words: "as cus-
todian for under the South Carolina Uniform
(name of minor)

Gifts to Minors Act."

(b) Any gift made in a manner prescribed in Subsection (a) may
be made to only one minor and only one person may be the custodian.

(c) A donor who makes a gift to a minor in a manner prescribed
in Subsection (a) shall promptly do all things within his power to
put the subject of the gift in the possession and control of the custo-
dian, but neither the donor's failure to comply with this Subsection
nor his designation of an ineligible person as custodian, nor renuncia-
tion by the person designated as custodian affects the consummation
of the gift.

SECTION 3. Gifts to be irrevocable—authority of guardians.

—(a) A gift made in a manner prescribed in this act is irrevocable
and conveys to the minor indefeasibly vested legal title to the security
or money given, but no guardian of the minor has any right, power,
duty or authority with respect to the custodial property except as
provided in this act.

(b) By making a gift in a manner prescribed in this act, the
donor incorporates in his gift all the provisions of this act and grants
to the custodian, and to any issuer, transfer agent, bank, savings and
loan association, broker or third person dealing with a person designa-
ted as custodian, the respective powers, rights and immunities pro-
vided in this act.

SECTION 4. Powers and duties of custodians.—(a) The custo-
dian shall collect, hold, manage, invest and reinvest the custodial
property.

(b) The custodian shall pay over to the minor for expenditure by
him, or expend for the minor's benefit, so much of or all the custodial

property as the custodian deems advisable for the support, maintenance, education and benefit of the minor in the manner, at the time or times, and to the extent that the custodian in his discretion deems suitable and proper, with or without court order, with or without regard to the duty of himself or of any other person to support the minor or his ability to do so, and with or without regard to any other income or property of the minor which may be applicable or available for any such purpose.

(c) The court, on the petition of a parent or guardian of the minor or of the minor, if he has attained the age of fourteen years, may order the custodian to pay over to the minor for expenditure by him or to expend so much of or all the custodial property as is necessary for the minor's support, maintenance or education.

(d) To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor on his attaining the age of twenty-one years or, if the minor dies before attaining the age of twenty-one years, he shall thereupon deliver or pay it over to the estate of the minor.

(e) The custodian, notwithstanding statutes restricting investments by fiduciaries, shall invest and reinvest the custodial property as would a prudent man of discretion and intelligence who is seeking a reasonable income and the preservation of his capital, except that he may, in his discretion and without liability to the minor or his estate, retain a security given to the minor in a manner prescribed in this act.

(f) The custodian may sell, exchange, convert or otherwise dispose of custodial property in the manner, at the time or times, for the price or prices and upon the terms he deems advisable. He may vote in person or by general or limited proxy a security which is custodial property. He may consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution or liquidation of an issuer, a security which is custodial property, and to the sale, lease, pledge or mortgage of any property by or to such an issuer, and to any other action by such an issuer. He may execute and deliver any and all instruments in writing which he deems advisable to carry out any of his powers as custodian.

(g) The custodian shall register each security which is custodial property and in registered form in the name of the custodian, followed, in substance, by the words: "as custodian for
(name of minor)

under the South Carolina Uniform Gifts to Minors Act." The custodian shall hold all money which is custodial property in an account with a broker or in a bank or savings and loan association, in the name of the custodian, followed, in substance, by the words: "as custodian for under the South Carolina Uniform Gifts to Minors Act." The custodian shall keep all other custodial property separate and distinct from his own property in a manner to identify it clearly as custodial property.

(h) The custodian shall keep records of all transactions with respect to the custodial property and make them available for inspection at reasonable intervals by a parent or legal representative of the minor or by the minor, if he has attained the age of fourteen years.

(i) A custodian has, with respect to the custodial property, in addition to the rights and powers provided in this act, all the rights and powers which a guardian has with respect to property not held as custodial property.

SECTION 5. Compensation of custodian—liability of.—(a) A custodian is entitled to reimbursement from the custodial property for his reasonable expenses incurred in the performance of his duties.

(b) A custodian may act without compensation for his services.

(c) Unless he is a donor, a custodian may receive from the custodial property reasonable compensation for his services determined by one of the following standards in the order stated:

- (1) A direction by the donor when the gift is made;
- (2) A statute of this State applicable to custodians;
- (3) The statute of this State applicable to guardians;
- (4) An order of the court.

(d) Except as otherwise provided in this act, a custodian shall not be required to give a bond for the performance of his duties.

(e) A custodian not compensated for his services is not liable for losses to the custodial property unless they result from his bad faith, intentional wrongdoing or gross negligence or from his failure to maintain the standard of prudence in investing the custodial property provided in this act.

SECTION 6. Liability of persons dealing with donors or custodians.—No issuer, transfer agent, bank, savings and loan association, broker or other person acting on the instructions of or

otherwise dealing with any person purporting to act as a donor or in the capacity of a custodian is responsible for determining whether the person designated by the purported donor or purporting to act as a custodian has been duly designated or whether any purchase, sale or transfer to or by or any other act of any person purporting to act in the capacity of custodian is in accordance with or authorized by this act, or is obliged to inquire into the validity or propriety under this act of any instrument or instructions executed or given by a person purporting to act as a donor or in the capacity of a custodian, or is bound to see to the application by any person purporting to act in the capacity of a custodian of any money or other property paid or delivered to him.

SECTION 7. Successor custodians.—(a) Only an adult member of the minor's family, a guardian of the minor or a trust company is eligible to become successor custodian. A successor custodian has all the rights, powers, duties and immunities of a custodian designated in a manner prescribed by this act.

(b) A custodian, other than the donor, may resign and designate his successor by:

(1) executing an instrument of resignation designating the successor custodian; and

(2) causing each security which is custodial property and in registered form to be registered in the name of the successor custodian followed, in substance, by the words: "as custodian for
(name of minor)

under the South Carolina Uniform Gifts to Minors Act"; and

(3) delivering to the successor custodian the instrument of resignation, each security registered in the name of the successor custodian and all other custodial property, together with any additional instruments required for the transfer thereof.

(c) A custodian, whether or not a donor, may petition the court for permission to resign and for the designation of a successor custodian.

(d) If the person designated as custodian is not eligible, renounces or dies before the minor attains the age of twenty-one years, the guardian of the minor shall be successor custodian. If the minor has no guardian, a donor, his legal representative, the legal representative of the custodian, an adult member of the minor's family, or the minor, if he has attained the age of fourteen years, may petition the court for the designation of a successor custodian.

(e) A donor, the legal representative of a donor, an adult member of the minor's family, a guardian of the minor or the minor, if he has attained the age of fourteen years, may petition the court that, for cause shown in the petition, the custodian be removed and a successor custodian be designated or, in the alternative, that the custodian be required to give bond for the performance of his duties.

(f) Upon the filing of a petition as provided in this section, the court shall grant an order, directed to the persons and returnable on such notice as the court may require, to show cause why the relief prayed for in the petition should not be granted and, in due course, grant such relief as the court finds to be in the best interests of the minor.

SECTION 8. Petition for accounting.—(a) The minor, if he has attained the age of fourteen years, or the legal representative of the minor, an adult member of the minor's family, or a donor or his legal representative may petition the court for an accounting by the custodian or his legal representative.

(b) The court, in a proceeding under this act or otherwise, may require or permit the custodian or his legal representative to account and, if the custodian is removed, shall so require and order delivery of all custodial property to the successor custodian and the execution of all instruments required for the transfer thereof.

SECTION 9. Construction of act.—(a) This act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

(b) This act shall not be construed as providing an exclusive method for making gifts to minors.

SECTION 10. Citation of act.—This act may be cited as the "South Carolina Uniform Gifts to Minors Act."

SECTION 11. Repeal—Act 638 of 1956 repealed.—Act No. 638 of the Acts of 1956 and all other acts or parts of acts inconsistent herewith are repealed, but the repeal of Act No. 638 shall not affect gifts made prior to the effective date of this act.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R474, S232)

No. 331

An Act To Amend Title 17 Of The Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Be Section 17-458, And Shall Provide For A Change Of Venue In Criminal Cases, As The Provision For Change Of Venue In Criminal Cases Was Omitted In The Publication Of The Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 17-458 added—circuit courts may order change of venue in criminal cases.—Title 17 of the Code of Laws of South Carolina, 1952, is amended by adding thereto a new section which shall be Section 17-458, as follows:

“Section 17-458. The circuit courts shall have power to change the venue in all criminal cases, pending therein, and over which they have original jurisdiction, by ordering the record to be removed to another county in the same circuit. The application for removal must be made to the judge sitting in regular term by some party interested, or by the solicitor of the circuit or accused, supported by affidavit that a fair and impartial trial cannot be had in the county where such action or prosecution was commenced. The State shall have the same right to make application for a change of venue that a defendant has in cases of murder, arson, rape, burglary, perjury, forgery or grand larceny; *provided*, no change of venue shall be granted in such cases until a true bill has been found by a grand jury. Four days notice of such application in civil and criminal cases shall be given to the adverse party, and if a change is ordered, it shall be to a county in the same judicial circuit; *provided*, further, that such adverse party to whom notice is given shall have the right to waive it; and the circuit judge shall have the power, upon application made to him by either party, upon proper cause shown, to shorten or extend the time for the hearing of the application for a change of venue.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R477, S402)

No. 332

An Act To Establish The Board Of Rural Fire Control For Lee County, To Provide For Its Powers, Duties And Membership, And To Provide A Penalty For Anyone Interfering With The Members Of The Department In The Discharge Of Their Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Rural Fire Control created for Lee County—appointments—terms—vacancies—compensation.—There is hereby established the Board of Rural Fire Control for Lee County, to be composed of three members, who shall be appointed by the Governor upon the recommendation of the Lee County Legislative Delegation. Of the initial appointees, one shall be appointed for a term of three years, one for a term of two years, and the other for a term of one year, after which their successors shall be appointed for regular terms of three years. The members appointed, whether for an initial term or a regular term, shall serve until their successors are appointed and qualify. Any vacancies on the board shall be filled in the same manner as the original appointment for the unexpired term only. The members of the board shall receive such compensation as may be annually fixed in the Lee County Appropriations Act.

SECTION 2. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purposes of controlling rural fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the county where the fire-fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of Lee County.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of Lee County.

(g) To construct, if necessary, buildings to house the equipment authorized herein; *provided*, the land on which such building is constructed shall be donated to the county so long as the property is used for housing fire-fighting equipment under the supervision of the board.

(h) To supervise the spending of any money allocated to the board for such purposes when vouchers are signed by members of the board.

(i) To certify to the South Carolina Industrial Commission the names of the volunteer firemen selected by the board.

SECTION 3. Use of equipment—service to be free—supervision of equipment.—The fire-fighting equipment provided for in this act shall be used to control, extinguish and fight any fire within the area covered by the truck company to which the equipment is assigned or anywhere in the county without regard to its location, whether it be rural or otherwise. All service rendered, including the personnel used in the fighting or controlling of fires, shall be without cost or charge to the persons requesting such service. The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 4. Members may direct traffic and enforce fire laws.

—All members of the truck companies of Lee County may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 5. Unlawful acts—penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the county or to interfere with any fire apparatus used by fire departments in the county, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 6. Board and members subject to Workmen's Compensation Act.—The board and volunteer firemen appointed or selected by the board shall be subject to the terms and provisions of the Workmen's Compensation Act and from the funds allocated to the board such premiums as may be fixed for workmen's compensation coverage shall be forwarded by the county to the South Carolina Industrial Commission.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R473, S286)

No. 333

An Act To Amend Article 2, Chapter 5, Of Title 43, Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Provide For The Terms Of Office Of Magistrates In Aiken County And Shall Validate The Terms Of Those Magistrates Serving In Aiken County On The Effective Date Of This Act.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 43-514 added—Aiken County magistrates—terms and vacancies.—Article 2, Chapter 5, of Title 43, Code of Laws of South Carolina, 1952, is amended by adding thereto a new section which shall be Section 43-514 as follows:

“Section 43-514. The terms of all magistrates in Aiken County shall be for four years and any vacancy occurring before the expiration of the full term for which appointed shall be for the unexpired portion of the term only. Magistrates shall hold their office until their successors are appointed and qualify.

The terms of office of all magistrates in Aiken County, the length of which is indicated in the records in the office of the Secretary of State, are hereby validated in all respects, and any vacancy occurring before the expiration of any term validated by this act shall be filled for the unexpired portion of the validated term only.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R479, S376)

No. 334

An Act To Amend Act No. 782 Of The Acts Of 1956, Relating To The School District Of Marlboro County, As Amended By Act No. 644 Of The Acts Of 1960, So As To Require The Preparation Of A Budget For The Next Ensuing School Year And Its Transmission To The General Assembly, And To Prescribe The Conditions Under Which The Annual Tax Levy For Operating The Public School System Of The District Shall Be Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 12 of Act 782 of 1956 amended—Board of Education—submit budget—expenditures—tax levy.—Act No. 782 of the Acts of 1956 is amended by striking out all of Section 12 and inserting in lieu thereof the following :

“Section 12. On or before March first of each year the Board of Education shall prepare a complete budget for the schools of the district for the succeeding school year to begin July first next ensuing. This budget shall show proposed expenditures for all purposes, including construction and maintenance of buildings, operation of the transportation system, debt amortization, operation of office of the board, incidental school expenses, salaries for all faculty members and employees, and such other items as may appear necessary. Proposed expenditures shall be broken down to show the expenditures to be made in the administrative areas. The budget shall be accompanied by a report of expenditures for the then current year and for the preceding year, set forth so as to be easily compared, together with any statistics and analysis that would contribute to a full and complete understanding of both current and proposed expenditure.

Immediately following its preparation, and on or before March fifteenth of such year, copies of the budget shall be transmitted to the clerks of the two houses of the General Assembly, in order that

full opportunity shall be given to the General Assembly to study the budget and to determine the extent, if any, to which it shall be modified by legislative enactment.

Unless the budget be modified, changed or affected by legislative enactment, the Board of Education shall direct the county auditor to levy and the county treasurer to collect all the millage necessary to meet that portion of the budget to be raised through direct ad valorem taxation, and such direction shall include any special levies which the board may approve under the provisions of Section 11, *supra*.

It shall be the duty of the county auditor to ascertain if the budget which has been prepared was in fact transmitted to the General Assembly as required by the provisions of this section, and if the county auditor shall determine that the budget was so transmitted, and was not modified by subsequent legislative enactment, then in such event the county auditor shall levy, and the county treasurer shall collect, such millage as may be required of him by the directive of the Board of Education.

In the event that the county auditor shall ascertain that the budget was not transmitted to the clerks of the two houses of the General Assembly, as herein directed, then in such event, it shall be conclusively presumed that the budget for the fiscal year for which taxes are to be levied, was the same as that in effect in the preceding fiscal year, and the auditor shall thereupon make such levy as would be required to provide funds for such a budget, which levy shall be duly collected by the Treasurer of Marlboro County."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Provide That The Aldermen Of The City Of Abbeville Shall Be Elected By The Qualified Electors Of The City Of Abbeville At Large.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election of aldermen for City of Abbeville.—The Aldermen of the City of Abbeville shall be elected by the qualified electors of the city voting at large; however, each alderman must be a resident of the ward which he represents.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R484, S300)

No. 336

An Act To Amend Subsection (3) Of Section 28-881, Code Of Laws Of South Carolina, 1952, Relating To The Catching Of Shad, So As To Eliminate The Necessity Of Procuring A License.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (3) of Section 28-881, 1952 Code, amended—lawful to net shad during certain seasons.—Subsection (3) of Section 28-881, Code of Laws of South Carolina, 1952, is amended by deleting the following: “, and for using such nets each person shall procure a license from the South Carolina Wildlife Resources Commission, Division of Commercial Fisheries, at an annual cost of one dollar and fifty cents”, so that when amended the subsection shall read as follows:

“(3) From the first day of February to the first day of May in each year, it shall be lawful to use bow, skimbrow or pump nets to catch shad for noncommercial purposes; and”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R485, S337)

No. 337

An Act To Make It A Misdemeanor To Obtain Or Attempt To Obtain, Or Aid And Abet Another To Obtain Or Attempt To Obtain, Any Telecommunications Service With Intent To Avoid Payment Of The Lawful Charges Therefor, By Fraudulent Means, Method, Trick, Or Device, And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Penalties for attempting to avoid payment of certain telecommunications services.—Any person who, with intent to avoid payment of the lawful charges therefor, obtains or attempts to obtain, or aids and abets another to obtain or attempt to obtain, any telecommunications service :

(a) by charging such service to an existing telephone number or credit card number without the authority of the subscriber thereto or the lawful holder thereof, or

(b) by charging such service to a nonexistent telephone number or credit card number, or to a number associated with telephone service which is suspended or terminated, or to a revoked or canceled credit card number, or

(c) by use of a code, prearranged scheme, or other similar stratagem or device whereby said person, in effect, sends or receives information, or

(d) by rearranging, tampering with, or making connection with any facilities or equipment of a telephone company, whether physically, inductively, acoustically, or otherwise, or

(e) by the use of any other fraudulent means, method, trick or device, is guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R487, S372)

No. 338**An Act To Change The Term Of Office Of The Mayor And Council Of The Town Of Patrick In Chesterfield County From One To Two Years Beginning July 1, 1961.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and council for Town of Patrick.—Beginning July 1, 1961 the term of office of the Mayor and Council of the Town of Patrick in Chesterfield County shall be changed from one to two years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R490, S329)

No. 339**An Act To Enact And Adopt The Southern Interstate Nuclear Compact, To Provide For A Member On The Southern Interstate Nuclear Board, And To Make Appropriations Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—As used in this act, unless the context requires otherwise :

- (1) "Compact" means the Southern Interstate Nuclear Compact;
- (2) "Board" means the Southern Interstate Nuclear Board.

SECTION 2. Southern Interstate Nuclear Compact adopted.—The Southern Interstate Nuclear Compact is enacted into law and entered into by the State of South Carolina as a party, and is of full force and effect between the State and any other states joining therein in accordance with the terms of the compact. The compact is substantially as follows :

Article I. Policy and Purpose

The party states recognize that the proper employment of nuclear energy, facilities, materials, and products can assist substantially

in the industrialization of the South and the development of a balanced economy for the region. They also recognize that optimum benefit from an acquisition of nuclear resources and facilities requires systematic encouragement, guidance, and assistance from the party states on a cooperative basis. It is the policy of the party states to undertake such cooperation on a continuing basis; it is the purpose of this compact to provide the instruments and framework for such a cooperative effort to improve the economy of the South and contribute to the individual and community well being of the region's people.

Article II. The Board

(a) There is hereby created an agency of the party states to be known as the "Southern Interstate Nuclear Board" (hereinafter called the Board). The Board shall be composed of one member from each party state designated or appointed in accordance with the law of the state which he represents and serving and subject to removal in accordance with such law. Any member of the Board may provide for the discharge of his duties and the performance of his functions thereon (either for the duration of his membership or for any lesser period of time) by a deputy or assistant, if the laws of his state make specific provision therefor. The federal government may be represented without vote if provision is made by federal law for such representation.

(b) The Board members of the party state shall each be entitled to one vote on the Board. No action of the Board shall be binding unless taken at a meeting at which a majority of all members representing the party states are present and unless a majority of the total number of votes on the Board are cast in favor thereof.

(c) The Board shall have a seal.

(d) The Board shall elect annually, from among its members, a chairman, a vice chairman, and a treasurer. The Board shall appoint an Executive Director who shall serve at its pleasure and who shall also act as Secretary, and who, together with the Treasurer, shall be bonded in such amounts as the Board may require.

(e) The Executive Director, with the approval of the Board, shall appoint and remove or discharge such personnel as may be necessary for the performance of the Board's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

(f) The Board may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its full-time employees. Employees of the Board shall be eligible for social security coverage in respect of old age and survivors insurance provided that the Board takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Board may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.

(g) The Board may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

(h) The Board may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

(i) The Board may establish and maintain such facilities as may be necessary for the transacting of its business. The Board may acquire, hold, and convey real and personal property and any interest therein.

(j) The Board shall adopt bylaws, rules, and regulations for the conduct of its business, and shall have the power to amend and rescind these bylaws, rules and regulations. The Board shall publish its bylaws, rules and regulations in convenient form and shall also file a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

(k) The Board annually shall make to the governor of each party state, a report covering the activities of the Board for the preceding year, and embodying such recommendations as may have been adopted by the Board, which report shall be transmitted to the legislature of said state. The Board may issue such additional reports as it may deem desirable.

Article III. Finances

(a) The Board shall submit to the executive head or designated officer or officers of each state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

(b) Each of the Board's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. One half of the total amount of each budget of estimated expenditures shall be apportioned among the party states in equal shares; one quarter of each such budget shall be apportioned among the party states in accordance with the ratio of their populations to the total population of the entire group of party states based on the last decennial federal census; and one quarter of each such budget shall be apportioned among the party states on the basis of the relative average per capita income of the inhabitants in each of the party states based on the latest computations published by the federal census-taking agency. Subject to appropriation by their respective legislatures, the Board shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Board.

(c) The Board may meet any of its obligations in whole or in part with funds available to it under Article II (h) of this compact, provided that the Board takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Board makes use of funds available to it under Article II (h) hereof, the Board shall not incur any obligation prior to the allotment of funds by the party jurisdictions adequate to meet the same.

(d) Any expenses and any other costs for each member of the Board in attending Board meetings shall be met by the Board.

(e) The Board shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Board shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Board shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual report of the Board.

(f) The accounts of the Board shall be open at any reasonable time for inspection.

Article IV. Advisory Committees

The Board may establish such advisory and technical committees as it may deem necessary, membership on which to include but not to be limited to private citizens, expert and lay personnel, representatives

of industry, labor, commerce, agriculture, civic associations, medicine, education, voluntary health agencies, and officials of local, state and federal government, and may cooperate with and use the services of any such committees and the organizations which they represent in furthering any of its activities under this compact.

Article V. Powers

The Board shall have power to:

(a) Ascertain and analyze on a continuing basis the position of the South with respect to nuclear and related industries.

(b) Encourage the development and use of nuclear energy facilities, installations, and products as part of a balanced economy.

(c) Collect, correlate and disseminate information relating to civilian uses of nuclear energy, materials and products.

(d) Conduct, or cooperate in conducting, programs of training for state and local personnel engaged in any aspects of

(1) Nuclear industry, medicine, or education or the promotion or regulation thereof.

(2) The formulation or administration of measures designed to promote safety in any matter related to the development, use or disposal of nuclear energy, materials, products, installations, or wastes.

(e) Organize and conduct, or assist and cooperate in organizing and conducting, demonstrations of nuclear product, material, or equipment use and disposal and of proper techniques or processes for the application of nuclear resources to the civilian economy or general welfare.

(f) Undertake such non-regulatory functions with respect to non-nuclear sources of radiation as may promote the economic development and general welfare of the region.

(g) Study industrial, health, safety, and other standards, laws, codes, rules, regulations, and administrative practices in or related to nuclear fields.

(h) Recommend such changes in, or amendments or additions to the laws, codes, rules, regulations, administrative procedures and practices or ordinances of the party states in any of the fields of its interest and competence as in its judgment may be appropriate. Any such recommendation shall be made through the appropriate state agency with due consideration of the desirability of uniformity but shall also give appropriate weight to any special circumstances which may justify variations to meet local conditions.

(i) Prepare, publish and distribute, (with or without charge) such reports, bulletins, newsletters or other material as it deems appropriate.

(j) Cooperate with the Atomic Energy Commission or any agency successor thereto, any other officer or agency of the United States, and any other governmental unit or agency or officer thereof, and with any private persons or agencies in any of the fields of its interests.

(k) Act as licensee of the United States Government or any party state with respect to the conduct of any research activity requiring such license and operate such research facility or undertake any program pursuant thereto.

(l) Ascertain from time to time such methods, practices, circumstances, and conditions as may bring about the prevention and control of nuclear incidents in the area comprising the party states, to coordinate the nuclear incident prevention and control plans and the work relating thereto of the appropriate agencies of the party states and to facilitate the rendering of aid by the party states to each other in coping with nuclear incidents. The Board may formulate and, in accordance with need from time to time, revise a regional plan or regional plans for coping with nuclear incidents within the territory of the party states as a whole or within any subregion or subregions of the geographic area covered by this compact.

Article VI. Supplementary Agreements

(a) To the extent that the Board has not undertaken an activity or project which would be within its power under the provisions of Article V of this compact, any two or more of the party states (acting by their duly constituted administrative officials) may enter into supplementary agreements for the undertaking and continuance of such an activity or project. Any such agreement shall specify its purpose or purposes; its duration and the procedure for termination thereof or withdrawal therefrom; the method of financing and allocating the costs of the activity or project; and such other matters as may be necessary or appropriate. No such supplementary agreement entered into pursuant to this article shall become effective prior to its submission to and approval by the Board. The Board shall give such approval unless it finds that the supplementary agreement or the activity or project contemplated thereby is inconsistent with the provisions of this compact or a program or activity conducted by or participated in by the Board.

(b) Unless all of the party states participate in a supplementary agreement, any cost or costs thereof shall be borne separately by the states party thereto. However, the Board may administer or otherwise assist in the operation of any supplementary agreement.

(c) No party to a supplementary agreement entered into pursuant to this article shall be relieved thereby of any obligation or duty assumed by said party state under or pursuant to this compact, except that timely and proper performance of such obligation or duty by means of the supplementary agreement may be offered as performance pursuant to the compact.

Article VII. Other Laws and Relationships

Nothing in this compact shall be construed to:

(a) Permit or require any person or other entity to avoid or refuse compliance with any law, rule, regulation, order or ordinance of a party state or subdivision thereof now or hereafter made, enacted or in force.

(b) Limit, diminish, or otherwise impair jurisdiction exercised by the Atomic Energy Commission, any agency successor thereto, or any other federal department, agency or officer pursuant to and in conformity with any valid and operative act of Congress.

(c) Alter the relations between the respective internal responsibilities of the government of a party state and its subdivisions.

(d) Permit or authorize the Board to exercise any regulatory authority or to own or operate any nuclear reactor for the generation of electric energy; nor shall the Board own or operate any facility or installation for industrial or commercial purposes.

Article VIII. Eligible Parties, Entry into Force and Withdrawal

(a) Any or all of the states of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia shall be eligible to become party to this compact.

(b) As to any eligible party state, this compact shall become effective when its legislature shall have enacted the same into law: *provided*, that it shall not become initially effective until enacted into law by seven states.

(c) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall become effective until the governor of the withdrawing state shall have sent formal notice in writing to the governor of each other party state

informing said governors of the action of the legislature in repealing the compact and declaring an intention to withdraw.

Article IX. Severability and Construction

The provisions of this compact and of any supplementary agreement entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact or such supplementary agreement is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact or such supplementary agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact or any supplementary agreement entered into hereunder shall be held contrary to the constitution of any state participating therein, the compact or such supplementary agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact and of any supplementary agreement entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

SECTION 3. Board member to be appointed from South Carolina.—The board member from South Carolina shall be appointed by the Governor from membership of the Committee on Nuclear Energy created by Act No. 707 of the Acts of 1960, and his term of office shall be coterminous with that of the appointing governor. The member may name any other member of the Committee as his deputy or assistant.

SECTION 4. Certain agreements not effective until funds appropriated.—Any supplementary agreement entered into under Article VI of the compact, requiring the expenditure of funds shall not become effective as to the State until the required funds are appropriated by the General Assembly.

SECTION 5. State agencies and officers to cooperate with board.—The departments, agencies and officers of this State and its subdivisions are authorized to cooperate with the board in the furtherance of any of its activities pursuant to the compact.

SECTION 6. Appropriation.—To carry out the purposes of this act, there is appropriated out of the General Fund a sum equal to

South Carolina's share of board needs as determined by Article III of the compact, for the fiscal years 1960-61 and 1961-62. This sum shall not be greater than five thousand dollars in either fiscal year and the money shall not be expended until the board has come into existence as provided by the terms of the compact.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall become effective upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R491, S370)

No. 340

An Act To Amend Section 15-277, Code Of Laws Of South Carolina, 1952, As Amended, Prescribing The Terms Of Court In The Eighth Judicial Circuit, So As To Add An Additional Term Of Court Of Common Pleas And To Provide That All Terms Of The Court Of General Sessions And Of The Court Of Common Pleas For Greenwood County Shall Be For One Week Each.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraph (2) of Section 15-277, 1952 Code amended—terms of court for Greenwood County.—Paragraph (2) of Section 15-277, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it out in its entirety and inserting in lieu thereof the following :

“(2) Greenwood County. The court of general sessions for Greenwood County shall be held at Greenwood for one-week terms on the second Monday in January, the second Monday in April, the fourth Monday in June and the second Monday in September. The court of common pleas for said county shall be held at Greenwood for one-week terms on the first Monday in February, the first Monday in March, the third Monday in April, the fourth Monday in May, the first Monday after the fourth Monday in September, and the third Monday in November.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R494, S389)

No. 341

An Act To Provide A Better Law Library And Facilities For The Courts Of Dillon County; To Tax Costs In Certain Cases To Defray The Cost Hereof; And To Create A Committee To Carry Out The Provisions Of This Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Library and Court Facilities Committee created for Dillon County.—There is hereby created a committee, consisting of five members, to be known as the "Library and Court Facilities Committee." The Clerk of Court of Dillon County and the President of the Bar Association of Dillon County shall automatically be members of the committee and three members shall be appointed by the Dillon County Bar Association to serve for terms of three years and until their successors are appointed and qualify. The board shall have custody of all books, supplies, equipment and furniture of the Dillon County Law Library which shall be kept and maintained in the county courthouse. The library shall be for the use of all county officials and all courts functioning in the county.

SECTION 2. Accept books and donations and make purchases.—All books, equipment, supplies and furniture used in the county law library shall remain the property of Dillon County. The committee is authorized to accept gifts and donations of books and equipment and to purchase, from time to time, books, supplies and furniture as may be reasonably necessary to properly equip the law library.

SECTION 3. Librarian—duties.—The Clerk of Court of Dillon County shall be the librarian and shall serve in such capacity without compensation. The librarian shall keep the library room in the courthouse open during such hours as may be fixed by the committee and he shall obey all rules and regulations prescribed by the committee for the management of the library. In no event shall he allow any

person to remove any book, supplies, equipment or furniture from the law library.

SECTION 4. Funds.—In order to provide for the extension, maintenance and support of the law library, the sum of one dollar shall be taxed as costs on each case tried in the circuit and magistrates' courts in Dillon County, except the costs shall not be charged in any case in which Dillon County is adjudged to pay all costs. Each magistrate in the county shall monthly forward the costs taxed and collected herein to the clerk of court of the county. The costs taxed and collected shall be set apart and designated as the Dillon County Law Library and Courtroom Fund. It shall be deposited by the clerk of court in a bank designated for that purpose by the committee and shall be used solely for the purpose of extending, maintaining and operating the library. All checks on this account shall be drawn and signed by the clerk of court for the county and countersigned by the President of the Dillon County Bar Association.

SECTION 5. Duties of clerks of court.—It shall be the duty of the clerk of court, with the approval of the President of the Dillon County Bar Association, to purchase and pay for such books, furniture and fixtures as may be recommended and agreed upon from time to time by the clerk of court, the President of the Dillon County Bar Association and the committee herein created. The clerk of court shall keep a correct account of all receipts and disbursements relating to this fund.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Create The Dillon County Airport Commission And To Define Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County Airport Commission created—members—terms—officers.—There is hereby created the Dillon County Airport Commission which shall consist of five members to be appointed by a majority of the Dillon County Legislative Delegation, including the Senator. The terms of office of the members of the commission shall be for five years and until their successors are appointed and qualified, except that of the members first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. The appointment of the initial members of the commission shall be made before July 1, 1961. The commission shall elect from its membership a chairman and a secretary and shall keep a record of the minutes of its meetings.

SECTION 2. Powers and duties.—The commission shall act for Dillon County in all matters related to airports in the county and shall have the same powers and authorities as those given to counties generally by the Uniform Airports Act. The commission may lease so much of any airport property under its control as may be necessary for the operation of the airport to the South Carolina Aeronautics Commission on such terms and conditions as may be determined by joint agreement of the commission and the South Carolina Aeronautics Commission. The commission may enter into contracts under such conditions as it may deem proper for the industrial development of any part of the airport lands which are not necessary for the operation of the airport; *provided*, that no such industrial use shall interfere with the operation of the airport.

SECTION 3. Deposits and expenditures.—The commission shall deposit all funds received by it in a bank wherein such deposits are fully protected by insurance. Funds of the commission shall be expended only upon the approval of a majority of the members of the commission. The commission shall, on or before the first day of February of each year, file an itemized statement of all its receipts and disbursements with the Treasurer of Dillon County.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R498, S349)

No. 343

An Act To Amend Item (2), Section 1 Of Act No. 711 Of The Acts Of 1952, As Amended, Relating To The Board Of Trustees Of The Centralized School Districts In Dillon County, So As To Provide That The Boards Shall Be Composed Of Five Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (2) Section 1 of Act 711 of 1952 amended—Dillon County—number of trustees for school districts.—Item (2), Section 1 of Act No. 711 of the Acts of 1952, as amended by Act No. 842 of the Acts of 1956, is further amended by striking out the words “or seven” on line 2. Item (2) of Section 1 shall then read as follows :

“(2) The board of school trustees of each centralized school district to be established hereunder shall be composed of five members to be appointed by the county board of education as now provided by law. The board of trustees of each of the centralized school districts is hereby vested with the power to do all acts necessary to the establishment, maintenance and operation of the schools within the district, and for the purpose of providing the funds for the purchase of lands, construction of buildings and equipment of buildings, the board of trustees may issue and sell bonds of each of the centralized school districts in an amount not exceeding eight per cent of the assessed value of the taxable property within the district. The money derived from the sale of the bonds shall be deposited with the Treasurer of Dillon County and paid out on order of the board of trustees of the district involved.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R499, S350)

No. 344**An Act Creating Huggins Township In Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Huggins Township created in Dillon County.—All of that area of what is presently known as Manning Township lying south of Maple Swamp, extending from the Little Pee Dee River to the intersection with the Atlantic Coast Line Railroad and thence along the right of way of the railroad to Bethea Township is hereby created a township to be known as Huggins.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall become effective November 6, 1962.

Approved the 23rd day of May, 1961.

(R500, S351)

No. 345**An Act To Amend Section 14-1761, Code Of Laws Of South Carolina, 1952, Relating To The Board Of County Commissioners For Dillon County, So As To Increase The Membership.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1761, 1952 Code, amended—Dillon County Board of Commissioners—number—elections—terms.—Section 14-1761, Code of Laws of South Carolina, 1952, is amended by striking the words “six” on lines 1 and 2 and inserting in lieu thereof the words “seven” so that, when so amended, the section shall read as follows:

“Section 14-1761. The county board of commissioners shall be composed of seven members. One commissioner shall be elected from each of the seven townships of the county by the qualified electors of such township. The term of office of each commissioner shall be for a period of two years, beginning on December 1st of each even numbered year, and until his successor is appointed and qualified.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect on November 6, 1962.

Approved the 23rd day of May, 1961.

(R505, S415)

No. 346

An Act To Increase The Number Of Petit Jurors Serving In The Court Of General Sessions For Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Number of jurors for Marlboro County.—Notwithstanding the provisions of Section 38-61, Code of Laws of South Carolina, 1952, as amended, the Marlboro County Jury Commissioners shall draw forty-six petit jurors to serve in the court of general sessions.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R506, S418)

No. 347

An Act To Amend Article 2, Chapter 5, Of Title 47, Code Of Laws Of South Carolina, 1952, By Adding Thereto A New Section Which Shall Be Section 47-376.2, And Shall Provide That Councilmen Of The City Of Cheraw Shall Serve For Terms Of Four Years.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 47-376.2 added—terms of councilmen for City of Cheraw.—Article 2, Chapter 5, of Title 47, Code of Laws of South Carolina, 1952, is amended by adding a new section thereto, to be designated Section 47-376.2, to read as follows:

“Section 47-376.2. In the City of Cheraw in Chesterfield County the term of office of the councilmen shall be four years, beginning with

the general election of 1962. *Provided*, however, that of the councilmen first elected pursuant to the terms of this act, the two receiving the highest number of votes shall serve for terms of four years, and the two receiving the next highest number of votes shall serve for terms of two years. Thereafter, terms of office shall be for four years. *Provided*, that the term of office of the Mayor shall continue to be a two year term."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R507, S426)

No. 348

An Act Authorizing The Town Of Bennettsville In Marlboro County To Levy A Tax Not Exceeding Five Mills For Health And Highway Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Bennettsville may levy tax.—The Town Council of the Town of Bennettsville may levy for health and highway purposes an annual tax of not more than five mills in addition to the tax otherwise authorized by law upon all of the taxable property within the corporate limits of the town.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R510, S417)

No. 349

An Act To Exempt Property Of Moose Lodge No. 1886 In Williamsburg County From County Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Moose Lodge No. 1886 in Williamsburg County exempt from taxes.—All property owned by Moose Lodge No. 1886 in Williamsburg County shall be exempt from all county taxes so long as such property is used as a Moose Lodge and is not leased or rented for any other purpose.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R511, S427)

No. 350

An Act To Amend An Act Of 1961 Bearing Ratification Number 233 Relating To The Authority Of The Oconee Soil Conservation District So As To Provide For The Exercise Of Power Of Eminent Domain.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 153 of 1961 amended—Section 1-A added—power of eminent domain.—The Act of 1961 bearing Ratification No. 233 is amended by adding a new section to read as follows :

“Section 1-A. The governing body of the Oconee Soil Conservation District may exercise the power of eminent domain as provided in Chapter 2 of Article 25, Code of Laws of South Carolina, 1952.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R512, S138)

No. 351

An Act To Amend Section 43-221, Code Of Laws Of South Carolina, 1952, Relating To The Endorsement Of Warrants Issued in One County By Magistrates Of Another County, So As To Provide For The Endorsement And Execution Of Warrants Issued By Municipal Authorities For Persons Who Have Violated Municipal Ordinances Or Laws And Who Cannot Be Arrested Within The Municipal Limits; And To Provide For The Appearance Of Such Persons In Municipal Courts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43-221, 1952 Code, amended—endorsement of warrants by magistrates.—Section 43-221, Code of Laws of South Carolina, 1952, is amended by striking out the entire section and inserting in lieu thereof the following:

“Section 43-221. A magistrate may endorse a warrant issued by a magistrate of another county when the person charged with a crime in such warrant resides in or is in the county of the endorsing magistrate. When a warrant is presented to a magistrate for endorsement, as herein provided, the magistrate shall authorize the person presenting it or any special constable to execute it within his county.

Whenever a warrant is issued by an intendant, mayor, recorder, judge or other proper judicial officer of any municipality of this State, requiring the arrest of anyone charged with the violation of a municipal ordinance, or of a State statute within the trial jurisdiction of the municipal authorities, and such person sought to be arrested cannot be found within the municipal limits but is within the State of South Carolina, the officer issuing such warrant may send it to the magistrate having jurisdiction over the area in which such person may be found, which magistrate may endorse the warrant, which shall then be executed by the magistrate's constable or the sheriff of the county of the endorsing magistrate. The endorsement shall be to the following effect: It shall be addressed to the sheriff or any lawful constable of the county of the endorsing magistrate, directing such officer to arrest the person named in the warrant and bring such person before the endorsing magistrate, to be dealt with according to law. Unless a proper bond is filed with the endorsing magistrate by the person arrested, conditioned upon his or her appearance before the officer originally issuing the warrant, to answer the charges therein, the person arrested shall be promptly turned over

to police officers of the municipality from which the warrant was originally issued, who are hereby empowered to return the person to the municipality involved. *Provided*, however, that a magistrate shall not be required to endorse any such warrant when the maximum penalty for each offense charged by such warrant does not exceed ten dollars or when the offense consists of the illegal parking of a motor vehicle.

All costs, fees, travel and other expenses in connection with the endorsement and execution of such warrants shall be paid by the municipality involved to the county or officers entitled thereto."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R513, S143)

No. 352

An Act To Amend Act No. 253 Of 1959, As Amended, Relating To The Regulation Of The Ownership And Operation Of Boats And Related Equipment On The Waters Of This State, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (2), Section 3 of Act 253 of 1959 amended—"motorboat" defined.—Item (2) of Section 3 of Act No. 253 of 1959 is amended by deleting the words "ten horsepower or more" and inserting in lieu thereof the words "any description or horsepower," so that when amended the item shall read as follows:

"(2) 'Motorboat' shall mean any vessel propelled by machinery of any description or horsepower, whether or not such machinery is the principal source of propulsion, but shall not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successor thereto."

SECTION 2. Subsection (c), Section 5 of Act 253 of 1959 amended—change of ownership.—Subsection (c) of Section 5 of

Act No. 253 of 1959 is amended by striking it out and inserting in lieu thereof the following:

“(c) Should the ownership of a motorboat change, the purchaser shall file an application for transfer of registration with the fee, and a certificate of transfer shall be awarded. Such application for transfer shall be made by the purchaser within fifteen days from date of purchase.”

SECTION 3. Section 5 of Act 253 of 1959 amended—items (1), (m) and (n) added—when motorboat to be numbered—vessels not to be sold until requirements met—serial number to be imprinted on vessels.—Section 5 of Act No. 253 of 1959, as amended, is further amended by adding at the end thereof the following:

“(1) In order to operate on waters of South Carolina, a motorboat must be registered and numbered within fifteen days from the date it was purchased.

“(m) No vessel not already in the hands of a dealer may be sold or offered for sale by any person in this State after January 1, 1962, other than a vessel constructed of wood, which does not meet the requirements for flotation as set forth by the Boating Division of the Wildlife Resources Department, nor shall any such vessel not meeting these flotation requirements be registered or numbered by the South Carolina Division of Boating except vessels purchased, acquired, registered and numbered prior to January 1, 1962.

“(n) No newly constructed vessel, other than a vessel constructed of wood, shall be sold in this State after January 1, 1962, unless the serial number is clearly imprinted in the stern transom. If the manufacturer selects another location on the hull, the Division of Boating must be notified by the manufacturer as to such location.”

SECTION 4. Last paragraph of Section 6 of Act 253 of 1959 amended—no vessel to be operated unless properly equipped.—The last paragraph of Section 6 of Act 253 of 1959 is amended by striking it out and inserting in lieu thereof the following: “No person shall operate or give permission for the operation of a motorboat or vessel which is not equipped as required by this section or a modification thereof.”

SECTION 5. Section 6 of Act 253 of 1959 amended—Item (6) added—life preservers to be approved by Coast Guard.—Section 6 of Act No. 253 of 1959 is amended by adding the following item:

“(6) After January 1, 1962 no person shall sell any life preserver, buoyant vest, ring buoy or buoyant cushion which is not approved by the Coast Guard.”

SECTION 6. Item (3), Section 7 of Act 253 of 1959 amended—motorboats exempt from numbering requirements.—Item (3) of Section 7 of Act No. 253 of 1959 is amended by striking it out and inserting in lieu thereof the following:

“(3) A motorboat whose owner is the United States, a state or a subdivision thereof, which is clearly marked in letters of block character three inches in height with the name of the agency spelled out in such a manner as to readily identify the agency owning the motorboat. In lieu of this requirement, any state agency may, upon application, be assigned a state number at no charge, such number to be displayed in accordance with the requirements of this act.”

SECTION 7. Section 7 of Act 253 of 1959 amended—item (6) added—motorboats exempt from numbering requirements.—Section 7 of Act No. 253 of 1959 is amended by adding the following item:

“(6) propelled by machinery and is under ten horsepower.”

SECTION 8. Paragraph (b), Section 11 of Act 253 of 1959 amended—when accident reports to be made.—Paragraph (b) of Section 11 of Act No. 253 of 1959 is amended by adding at the end thereof the following:

“Reports in death cases shall be submitted within forty-eight hours and reports in other cases shall be submitted within seventy-two hours.”

SECTION 9. Section 18 of Act 253 of 1959 amended—penalties.—Section 18 of Act No. 253 of 1959 is amended by striking it out and inserting in lieu thereof the following:

“Section 18. (a) Any person violating the provisions of Section 10 of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or be imprisoned for not less than ten days nor more than thirty days.

(b) Any person violating any provisions of this act or any regulations adopted by the Division of Boating where the penalty is not specified, shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars for each violation.”

SECTION 10. Section 13 of Act 253 of 1959 amended—subsection (e) added—water skiers to wear ski belts or life preservers.—Section 13 of Act No. 253 of the Acts of 1959 is amended by adding a new subsection to read as follows:

“(e) No person shall water ski or ride on a surfboard or similar object unless he is wearing a ski belt, a life preserver or similar equipment which will keep such person afloat should he fall or be thrown into the water. *Provided*, that participants in scheduled water ski tournaments or shows sponsored by a recognized water ski club shall be exempt from this requirement; and *provided*, further, that persons holding ratings of first class or higher in the American Water Ski Association shall be exempt from this requirement.”

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R515, H1859)

No. 353

An Act To Create The Office Of Delinquent Tax Collector For Orangeburg County And To Specify His Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orangeburg County to have delinquent tax collector—appointment—removal—term—vacancy—compensation.—There is hereby created the office of Delinquent Tax Collector for Orangeburg County. The delinquent tax collector shall be appointed by the Governor upon the recommendation of a committee composed of the Orangeburg County Legislative Delegation and the County Auditor and Treasurer of Orangeburg County. The delinquent tax collector may be removed for cause, at any time, by the Governor upon request of a majority of such committee and shall be so removed whenever the delinquent tax collector has, in the opinion of a majority of the committee, failed to perform any duty imposed upon him by law. The term of office of the delinquent tax collector shall be for a period of two years and

until his successor is appointed and qualified. In case of a vacancy during the term of office, a successor for the unexpired term shall be appointed in the same manner as for a full term. The delinquent tax collector shall receive as his compensation such salary or fees as may be provided by the Orangeburg County Legislative Delegation.

SECTION 2. Bond.—The delinquent tax collector shall upon appointment be bonded in the sum of ten thousand dollars conditioned upon the faithful performance of his duties.

SECTION 3. Powers and duties.—All powers and duties now vested in the Sheriff of Orangeburg County in the collection of delinquent taxes, the sales of property for taxes and the putting in possession of purchasers of such properties are hereby devolved upon the delinquent tax collector. When the delinquent tax collector as provided herein shall have been appointed and qualified, the Sheriff of Orangeburg County shall turn over to the collector all delinquent tax executions, together with the books and records pertaining to delinquent tax executions, and the sheriff shall thereupon be relieved of all responsibility in connection with the collection of delinquent taxes.

SECTION 4. Powers and duties—further.—The delinquent tax collector shall assist the county auditor in the listing upon the tax books of all properties which have not heretofore been returned for taxation. He shall make a monthly report to the county auditor of all properties, both real and personal, that he discovers are not on the county tax books. All monies collected by the delinquent tax collector shall be paid over to the county treasurer on the first day of each calendar month, and a full report shall be made of all monies collected and the persons from whom each sum is received, both to the county treasurer and to the governing body of Orangeburg County upon the first day of each calendar month.

SECTION 5. Act not to change procedures for collection of delinquent taxes.—Nothing in this act shall be construed to change the form of executions, the time of executions, the levy and the procedure in respect to the collection of delinquent tax executions as is heretofore provided by Statewide laws.

SECTION 6. Assistants—compensation.—The Orangeburg County Legislative Delegation may provide for such assistants to the delinquent tax collector as in their opinion may be necessary and shall

provide for the compensation of such assistants. The Orangeburg County Highway Commission shall provide suitable office space for the delinquent tax collector.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1961.

(R516, H1862)

No. 354

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2208, Providing For The Disposition Of Certain Fines Collected In The Circuit Court in Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 14-2208 added—Greenwood County—disposition of certain fines.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2208 which shall read as follows :

“Section 14-2208. All fines collected in the Circuit Court in Greenwood County shall in all cases where the arrest was made or the charges preferred by the police officers of the City of Greenwood or of the Town of Ninety Six and where they appear as material witnesses in such cases, be equally divided, one-half thereof being paid into the county treasury, and one-half thereof being paid to the City Clerk and Treasurer of the City of Greenwood or the City Clerk of the Town of Ninety Six, as the case may be.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R517, H1865)

No. 355

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding Two New Sections To Be Designated As Sections 14-2223 And 14-2225, Making Further Provisions For The Duties Of The Finance Board Of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 14-2223 added—clerk of Greenwood County Finance Board to make reports of disbursements.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2223 to read as follows :

“Section 14-2223. The Clerk to the Finance Board of Greenwood County shall each month deliver to the Foreman of the Greenwood County Grand Jury and to each member of the county legislative delegation a statement itemized in detail of disbursements of county funds during the preceding month, and the purpose for which used.”

SECTION 2. 1952 Code amended—Section 14-2225 added—Finance Board to operate certain water line.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2225 to read as follows :

“Section 14-2225. The Finance Board of Greenwood County shall take charge of, maintain and operate the water line or main leading to the Greenwood County Fair Grounds. The board is further empowered to fix charges for tapping and to permit tapping under such conditions and terms as the board may prescribe.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R518, H1878)

No. 356

An Act To Amend Act No. 800 Of The Acts Of 1960, As Amended, Relating To The Cleaning Up Of Vacant Lots By Certain

Municipalities In Horry County, So As To Include The Town Of Loris Under The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 800 of 1960 amended—municipalities in Horry County may clean up vacant lots—assess owners.—Section 1 of Act No. 800 of the Acts of 1960, as amended, is further amended by striking it out and inserting in lieu thereof the following :

“Section 1. The City of Myrtle Beach and the Towns of Ocean Drive Beach, Crescent Beach, Cherry Grove Beach and Loris in Horry County, ten days after sending notice to the owner of any vacant lot within the corporate limits of the municipality that it has determined that the owner shall clean up such vacant lot to insure the public health and safety, may clean up the vacant lot, if the owner has not done so, and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R520, H1896)

No. 357**An Act To Require That Persons Recording Deeds In The Office Of The Register Of Mesne Conveyances In Spartanburg County Shall File Certain Information By Affidavit Along With The Deed And To Provide Penalties Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Persons recording deeds in Spartanburg County to also file certain affidavit.—Any person recording a deed in the office of the Register of Mesne Conveyances for Spartanburg County shall be required to file, along with the deed before recordation, an affidavit stating the mailing address of the grantee of such deed, the tax district in which the property conveyed in the deed is located, the full purchase

price of the property, and the number and type of buildings located upon the property. When property is conveyed as a gift, or in consideration of love and affection, the grantee shall state the estimated true value of the property. Such affidavits shall be delivered by the Register's Office to the County Auditor for permanent filing. The affidavit shall be in such form as may be prescribed by the County Auditor and the Register of Mesne Conveyances.

SECTION 2. Penalty for filing false information.—Any person knowingly filing false information shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed fifty dollars.

SECTION 3. Failure to file affidavit not to affect deed.—The failure of any person to file the affidavit required above shall not affect the validity of the deed or the notice given by the recordation thereof.

SECTION 4. Not to apply to certain deeds.—This act shall not apply to any deed prepared and dated prior to the effective date of this act and this act shall not apply to any deed prepared, executed and probated outside of Spartanburg County for filing for record in Spartanburg County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect July 1, 1961.

Approved the 23rd day of May, 1961.

(R521, H1940)

No. 358

An Act Providing For The Election And Appointment Of The Master Of Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County master—term and appointment.—The term of office of the Master of Greenville County shall be for four years from the date of the expiration of his predecessor's term. Upon the expiration of his predecessor's term

or shortly before that date the Greenville Bar Association shall assemble in the courthouse at a day and an hour to be fixed by the president of the association or if the association be unable to assemble on that day a meeting shall be held thereafter as quickly as possible, due notice being given by the president of the association. At such meeting the association shall select from the lawyers of the Greenville Bar Association one of their number who shall receive a majority vote of the lawyers present. His name shall be immediately transmitted to the chairman of the Greenville County Legislative Delegation for approval or disapproval by the delegation. The chairman of said delegation shall forthwith call the delegation to meet on the question of approval or disapproval of the nominee of the bar association. If the delegation approves the selection from the association, the chairman shall immediately transmit the name of the person so selected to the Governor for appointment and the Governor shall thereupon appoint him, his term of office commencing on the termination of the office of the Greenville County Master then in office. If the legislative delegation shall disapprove of the nominee of the bar association, the chairman of the delegation shall immediately notify the president of the bar association to this effect and the association shall be called together, on a notice of not less than two days, to select another name and transmit it to the delegation and the delegation shall act on such name as in the first instance, and so on until a master has been selected by a majority of the bar association and approved by the Greenville County Legislative Delegation. The expression "Greenville Bar Association" as used herein shall include every lawyer admitted to practice in the Supreme Court of this State who is a resident of and has an office in Greenville County for the practice of law, but shall not include attorneys who have been admitted to practice but are in other lines of business.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R523, H1946)

No. 359

An Act To Amend Sections 14-2061, 14-2062, 14-2067 And 14-2070, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Board Of Commissioners, So As To Increase The Membership Of The Board; To Prescribe The Terms Of The Board Members; To Provide For Their Compensation; To Provide That The Board Shall Act In An Advisory Capacity To School District No. 520; And To Provide That Action By The County Legislative Delegation Relating To The Greenville County Board Of Commissioners Shall Be By A Majority Vote.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2061, 1952 Code, amended—Greenville County Board of Commissioners—number—terms—vacancies.—Section 14-2061, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following:

“Section 14-2061. The county board of commissioners of the county shall be composed of five members who shall be appointed by the Governor upon the recommendation of the county legislative delegation to serve for terms of five years. Those first appointed after the effective date of this act shall serve one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Any vacancy in the membership of the board shall be filled in the manner of the original appointment.

The Governor shall issue commissions to those persons appointed members of the board of commissioners.”

SECTION 2. Section 14-2062, 1952 Code, amended—compensation.—Section 14-2062, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following: “Section 14-2062. The members of the board of commissioners shall receive compensation as provided in the annual appropriations act for Greenville County.”

SECTION 3. Section 14-2067, 1952 Code, amended—duties—advisory capacity.—Section 14-2067, Code of Laws of South Carolina, 1952, is amended by striking after the second “of” on line 3 the remainder of the sentence and inserting in lieu thereof the following: “School District No. 520” so that when amended the section shall read as follows:

"Section 14-2067. The board shall confer with the county legislative delegation as often as may be necessary and shall act as an advisory board to the various officials of the county and the school trustees of School District No. 520."

SECTION 4. Section 14-2070, 1952 Code, amended—action by legislative delegation to be by majority vote.—Section 14-2070, Code of Laws of South Carolina, 1952, is amended by striking on line 2 " , including the Senator," so that when amended the section shall read as follows:

"Section 14-2070. Action by the county legislative delegation under the terms of this article shall be by a majority vote of the delegation and in a meeting duly called and assembled."

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R525, H1951)

No. 360

An Act To Create The Richland And Lexington Counties Joint Planning Commission And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Joint Planning Commission created for Richland and Lexington Counties—duties.—There is hereby created the Richland and Lexington Counties Joint Planning Commission, hereinafter referred to in this act as "The Commission". The Commission shall have the duties of studying total development in the Metropolitan Planning Area defined below and in the nonmetropolitan area also defined below and of preparing for the Metropolitan Planning Area, in collaboration with the municipalities and the portions of unincorporated areas of the counties lying within the Metropolitan Planning Area, plans which will promote the orderly and economical development of the Metropolitan Planning Area, of submitting these plans to county, municipal, State and Federal agencies having jurisdiction in

the Metropolitan Planning Area, and of encouraging the execution of these plans. The Commission shall have the further duty of studying the development in the nonmetropolitan area of both counties as is likely to affect or be effected by development in the Metropolitan Planning Area, and of proposing and promoting plans and planning as appear to be of mutual benefit to the metropolitan and nonmetropolitan areas of both counties.

SECTION 2. Metropolitan Planning Area defined.—For the purposes of this act, the Metropolitan Planning Area is defined as including the following census tracts officially designated as such by the U. S. Bureau of the Census for the 1960 Census as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, CA201, CA202, WC203, WC204, RC101, RC102, RC103, RC114, RC115, RC118, RC119, RC120, MC104, MC105, MC106, MC107, MC108, MC109, MC110, MC111, MC112, MC113, MC116, MC117, MC205, MC206, LC207, LC208, LC209, LC210, LC211, LC212, LC213 and LC214.

SECTION 3. Nonmetropolitan area defined.—The nonmetropolitan area is defined as being those portions of Richland and Lexington Counties lying outside the Metropolitan Planning Area.

SECTION 4. Purpose.—It is the purpose and intent of this act (a) to authorize and encourage municipalities and portions of counties within the Metropolitan Planning Area to create local planning agencies and to undertake active planning programs, (b) to provide for the creation of the Commission to assist in the coordination of the plans and programs of such local agencies, (c) to grant municipalities and portions of counties within the Metropolitan Planning Area any powers necessary to carry out their plans, (d) to study developmental trends and planning problems where there is need for joint metropolitan and nonmetropolitan programs of action for mutual benefit, and (e) to work with county and other governmental bodies in the nonmetropolitan area in arriving at solutions which serve the interests of both metropolitan and nonmetropolitan areas in the two counties.

All action shall be designed to guide and accomplish a coordinated, adjusted, and harmonious development of both the Metropolitan Planning Area and the nonmetropolitan area which will, in accordance with present and future needs, best promote the public health, safety, morals, order, convenience, prosperity, and general

welfare, as well as efficiency and economy in the process of development from the standpoint of both areas, including adequate provision for traffic and transportation facilities, the promotion of safety from fire or other dangers, provision for light and air, promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

SECTION 5. Members—terms.—The planning commission shall be composed ex officio of the chairman of each municipal planning commission presently or hereafter established within the Metropolitan Planning Area and two members from each of the respective counties who shall be appointed by the respective delegations of the two counties concerned. The members shall serve on the Commission during their terms of office as chairman of their respective commissions or boards.

SECTION 6. Meetings—officers—rules and regulations—powers and duties—annual report.—On or before July 1, 1961, the Commission shall meet in the City of Columbia on call of the Chairman of the Columbia City Planning Commission. The Commission shall elect from among its members a chairman and such other officers as it may choose for such terms as it may prescribe in its rules and regulations. The Commission shall adopt such rules and regulations not inconsistent herewith as it may deem necessary for the proper discharge of its duties. The Chairman may appoint such committees as the work of the Commission may require.

The Commission shall hold regular meetings at places and dates to be determined by the Commission, but in any event the Commission shall meet at least once every three months. Special meetings may be called by the Chairman on his own initiative and must be called by him upon request of three or more members. All members of the Commission shall be notified by the Chairman in writing of the time and place of special meetings at least seven days in advance of such meetings. All meetings shall be open to the public. The Commission shall keep a record of its recommendations, transactions, findings, and determinations which record shall be a public record.

The Commission shall have the power, within the limits of funds appropriated or otherwise made available to it: (1) to contract with persons, firms, or corporations for special and technical services, (2) to contract with the State of South Carolina or the Federal govern-

ment, or any agency or department thereof, for such services or grants as may be available from such agencies, and to carry out the provisions of such contracts. The municipalities and counties having representation on the Commission are hereby authorized to concur in any contracts or to enter into them as co-makers.

The Commission may accept, receive and disburse in the performance of its functions any funds, grants and services made available by the Federal government and any of its agencies, the State government and any of its agencies, any municipalities or counties, and any private or civic sources.

Each municipality having representation on the Commission shall appropriate and pay to the Commission each year for its support an amount equal to five cents for each inhabitant of the municipality at the time of the latest Federal census. Each county having representation on the Commission shall appropriate and pay to the Commission each year for its support an amount equal to five cents for each inhabitant of that county's unincorporated area lying within the Metropolitan Planning Area at the time of the latest Federal census and one cent for each inhabitant of the nonmetropolitan area. Work done pursuant to this payment shall be under the supervision and direction of the Commission.

The city council or county legislative delegation of each municipality or county having representation on the Commission may make such further appropriations to the Commission from general municipal or county funds as it deems necessary.

The Commission shall appoint one of its members as its treasurer, with authority to collect, deposit, and disburse funds made available to the Commission from any source whatsoever. The treasurer shall, before entering upon his duties, post a surety bond conditioned upon the faithful discharge of his duties in an amount and form fixed by the Commission. All monies received for the Commission shall be deposited into a separate bank account, shall be earmarked for the use of the Commission, and shall be paid out only on warrants signed by the treasurer and countersigned by the Chairman of the Commission.

The Commission shall prepare an annual report of its activities, including a properly audited financial statement and shall distribute this report during the month of April to all counties and municipalities having representation on the Commission.

SECTION 7. Powers and duties—further.—The Commission shall have authority to:

(a) prepare and from time to time revise, amend, extend or add to a plan or plans for the development of the Metropolitan Planning Area;

(b) cooperate with and provide planning assistance to counties, municipalities, and other local governmental instrumentalities and planning agencies in either the Metropolitan Planning Area or the nonmetropolitan area. Such planning assistance shall include but not be limited to surveys, land use studies, urban renewal plans, technical services and other planning assistance. Whenever cooperation and assistance includes the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement;

(c) provide information to officials of departments, agencies and instrumentalities of State and local government, and to the public at large, in order to foster public awareness and understanding of the objectives of the Commission's plans, and in order to stimulate public interest and participation in the orderly development of the area;

(d) hold public or private hearings and sponsor public meetings in any part of this area whenever it deems such hearings or meetings necessary or useful in the execution of its functions;

(e) exercise all other powers necessary and proper for the discharge of its duties;

(f) study growth trends within the entire two-county area and correlate its studies of the Metropolitan Planning Area with such larger area;

(g) to appoint advisory committees from among the citizens and city and county officials of the Metropolitan Area or where problems of joint concern arise, from citizens of both the Metropolitan Planning Area and the nonmetropolitan area, to study any problems or to advise on any problems submitted to such committees by the Commission; and

(h) to provide for reimbursement of travel expenses incurred by members of the committees in work requested by the Commission.

SECTION 8. Contracts with other planning commissions authorized.—In addition to powers heretofore or hereafter granted by general or special act, any municipal planning commission or county planning board in the Metropolitan Planning Area or the nonmetropolitan area shall be authorized, with the approval of the

city council or legislative delegation to which it is responsible, (a) to enter into and carry out contracts with any other municipal planning commission or county planning board under which it agrees to furnish technical planning assistance to such other planning board or commission, or (b) to enter into and carry out contracts with any other municipal planning commission or county planning board under which it agrees to pay such other planning board or commission for technical planning assistance to be furnished by the staff of such other board or commission. The appropriate city councils and county legislative delegations are hereby authorized to concur in such contracts or to enter into them as co-makers, and to make such appropriations as necessary to carry them out.

SECTION 9. County Planning Act to apply to Richland and Lexington Counties—exceptions.—The provisions of the County Planning Enabling Act, codified in Article 1 of Chapter 8 of Title 14 of the Code of Laws of South Carolina of 1952, as amended, shall apply to Lexington County and to Richland County, subject to the following modification: planning commissions for Richland and Lexington Counties shall be appointed by the Governor with the advice and consent of the majority of the respective legislative delegations including the senators. These counties shall have and may exercise any and all powers granted by the act, either within the counties as a whole or within those portions of the county included within the Metropolitan Planning Area. If and when either of these counties adopts subdivision regulations, no subdivision regulations adopted by any municipality within that county and within the Metropolitan Planning Area shall be effective beyond the municipality's corporate limits.

SECTION 10. Referendum may be held in certain areas of Lexington County.—In the unincorporated areas of the Metropolitan Planning Area of Lexington County a referendum may be ordered by the Lexington Delegation to determine whether this area desires to participate in the provisions of this act.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R527, H1954)

No. 361**An Act To Authorize The Clerk Of Court Of Anderson County To Destroy Chattel Mortgages Which Are Over Ten Years Old.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County may destroy old chattel mortgages.—Any chattel mortgage which is over ten years old may be destroyed by the Clerk of Court of Anderson County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R528, H1037)

No. 362

An Act To Amend Section 15-1703, Code Of Laws Of South Carolina, 1952, Relating To Clerks Of Court Of Common Pleas, So As To Provide That Such Clerks Shall, In Addition To Being Ex Officio Clerks Of The Court Of General Sessions, Be Ex Officio Clerks Of All Other Courts Of Record In Their Respective Counties Unless Otherwise Provided By The Law Establishing Such Other Courts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1703, 1952 Code, amended—clerks of court to serve other courts.—Section 15-1703, Code of Laws of South Carolina, 1952, is amended by striking on the last line thereof the following: "except the court of probate." and inserting in lieu thereof the following: "as may be provided by the law establishing such other courts.", so that when amended the section shall read as follows:

"Section 15-1703. The clerk of the court of common pleas elected in each county pursuant to section 27 of Article 5 of the Constitution and Sections 15-1701 and 15-1702 shall be ex officio clerk of the court of general sessions and of all other courts of record therein except as may be provided by the law establishing such other courts."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R529, H1179)

No. 363

An Act To Repeal Section 33-203, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Across The Ashley River In Charleston County, Since This Has Been Accomplished.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-203, 1952 Code, repealed.—Section 33-203, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R530, H1180)

No. 364

An Act To Repeal Section 33-204, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Over The Broad River Between Richland And Fairfield Counties, Since This Has Been Accomplished.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-204, 1952 Code, repealed.—Section 33-204, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R531, H1181)

No. 365

An Act To Repeal Section 33-205, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Bridge Across The Congaree River Between Lexington And Richland Counties, Which Has Been Accomplished.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-205, 1952 Code, repealed.—Section 33-205, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R532, H1221)

No. 366

An Act To Provide For The Termination Of Parental Rights In Regard To Any Child Voluntarily Abandoned By Its Parents For A Period In Excess Of Twelve Months And To Make Special Provision For The Custody Of Such Abandoned Child.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Voluntarily abandoned child—petition for determination of.—When a child is voluntarily abandoned for a period in excess of twelve months any interested person, persons or agency may petition a court of competent jurisdiction in the county in which the child resides or is residing for an order determining whether or not the child was voluntarily abandoned.

SECTION 2. Service of summons.—The summons and petition shall be served upon the parents of the child and also upon the child and the persons or agency with whom it resides in the manner provided in ordinary civil actions.

SECTION 3. Hearing.—When the summons and petition has been served and filed as herein provided the court shall hold a hearing to determine the merits of the petition. If the court, after this hearing, finds that the child has been voluntarily abandoned for a period in excess of twelve months, it may issue an order forever barring

parental or guardianship rights as to such minor child and may award custody of the child as it deems proper and said child shall be eligible for adoption.

SECTION 4. Not to affect general adoption laws.—The provisions of Sections 1, 2 and 3 of this act shall not modify or supersede the general adoption laws of this State.

SECTION 5. Section 1 not to be affected by general adoption laws.—The provisions of Section 1 of this act shall not be subject to the general adoption laws of this State.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R533, H1266)

No. 367

An Act To Create The State Board Of Registration For Foresters And To Define Its Powers And Duties; To Provide For The Registration And Licensing Of Foresters; To Define The Practice Of Forestry; And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Foresters to be licensed.—(a) No person shall use in connection with his name or otherwise assume, use or advertise any title or description tending directly or indirectly to convey the impression that he is a registered forester, without first having been licensed and registered as a registered forester as hereinafter provided.

(b) Except as hereinafter specifically authorized, no person shall engage in the practice of professional forestry as defined in this act, or in any manner advertise or hold himself out as engaged in such practice, without first being licensed as a registered forester under this act.

(c) Notwithstanding paragraph (b) or any other provision of this act, nothing herein shall be construed as preventing or prohibiting

any person from managing or otherwise conducting forestry practices on land owned, leased, rented or held by such person; nor shall anything herein prohibit any regular employee or official or any person from engaging in professional or other forestry practices on lands owned, leased, rented or held by such person, nor shall anything herein prohibit any person from practicing forestry under supervision as hereinafter authorized, so as to qualify for licensing as provided in Section 12 of this act; also, notwithstanding the provisions of Subsections (a) and (b) of Section 1 of this act, any landowner or person in possession of lands in this State under lease may employ any person whom he may desire for services relating to forestry such as consultation, evaluation, protection, measurements or determining the number of board feet in trees located or situated upon the land whether such person be a registered forester or not; also, notwithstanding paragraph (b), Section 1, or any other provision of this act, nothing herein shall be construed as preventing or prohibiting professional employees of public agricultural agencies from rendering forestry information, education, demonstration and conservation planning in line of duty; *provided* that such employees do not represent themselves to be professional foresters unless properly licensed or registered under the provisions of this act.

(d) It is the purpose of this act to protect the public by improving the standards relative to the practice of professional forestry and the provisions of this act shall apply to State Foresters.

(e) Nothing herein provided shall prohibit any forestry work by unlicensed persons working under the supervision of a registered forester.

SECTION 2. Definitions.—(a) “Registered forester” shall mean a person who has registered and qualified under this act to engage in professional forestry practices as hereinafter defined.

(b) “Forestry” or “practice of forestry” shall mean any professional service relating to forestry, such as consultation, investigation, evaluation, planning or responsible supervision of forest management, protection, silviculture, measurements, utilization, economics, education, or other forestry activities in connection with any public or private lands.

(c) “Board” shall mean the State Board of Registration for Foresters, provided for by this act.

SECTION 3. State Board of Registration for Foresters created—members—appointments—terms—vacancies.—A State Board of

Registration for Foresters is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of five foresters, who shall be appointed by the Governor of South Carolina from among ten nominees recommended by the Foresters Council of South Carolina and who shall have the qualifications required by Section 4 of this act. Each member of the board shall be commissioned by the Governor and, before beginning his term of office, shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his official duty. The five members of the initial board will be appointed for terms of one, two, three, four and five years, respectively, such terms beginning on the first day of the first month following the effective date of this act. On the expiration of the term of any member of the initial board, three nominees recommended by the Foresters Council of South Carolina shall be submitted to the Governor from which he shall appoint for a term of five years a registered forester having the qualifications required by Section 4 of this act to take the place of the member whose term on the board is expiring. Any vacancy occurring for a reason other than the expiration of office shall be filled by the Governor from three nominees recommended by the Foresters Council of South Carolina to fill the unexpired term of such member. If the Governor fails to make appointment in ninety days after expiration of any term, the board shall make the necessary appointment. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

SECTION 4. Qualifications.—Each member of the board shall be a citizen of the United States and a resident of South Carolina and shall have been engaged in the practice of forestry for at least ten years.

SECTION 5. Compensation.—Every member of the board shall receive a per diem allowance when actually attending to the work of the board or any of its committees and for the time spent in necessary travel and, in addition thereto, shall be reimbursed for all actual traveling, incidental and clerical expenses necessarily incurred in carrying out the provisions of this act.

SECTION 6. Removal from office.—The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty.

SECTION 7. Meetings—officers.—The original members of the board shall be named and appointed by the Governor within thirty days after the passage of this act. The board shall hold a meeting within thirty days after its members are first appointed, elect its officers, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such time and place as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect or appoint annually the following officers: a chairman, a vice-chairman, and a secretary.

SECTION 8. Secretary—bond and salary.—The secretary of the board shall give a surety bond to the State in such sum as the board may determine. The premium on such bond shall be regarded as a proper and necessary expense of the board and shall be paid out of the fund of the Board of Registration for Foresters. The secretary shall receive such salary as the board shall determine in addition to the expenses provided for in Section 5 of this act.

SECTION 9. Powers and duties.—The board shall have the power to adopt and amend all bylaws and rules of procedure, not inconsistent with the Constitution and laws of this State, which may be reasonably necessary for the proper performance of its duties and the regulation of the proceedings before it. The board shall adopt and have an official seal. In carrying into effect the provisions of this act, the board may, under the hand of its chairman and seal of the board, subpoena witnesses and compel their attendance and may also require the production of books, papers, and documents in a case involving the revocation of a license or practicing or offering to practice without a license under the title of registered forester. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Such witnesses officially called by the board shall receive the same compensation and shall be reimbursed for expenses as is provided for witnesses in the court of common pleas in the county in which this board may sit.

SECTION 10. Records and report.—The board shall keep a record of its proceedings and a register of all applications for registration, which register shall show: the name, age, and residence of each applicant; the date of the application; the place of business of such applicant; his educational and other qualifications; whether or not an examination was required; whether the application was rejected;

whether a license was granted ; the date of the action of the board ; and such other information as may be deemed necessary by the board. The records of the board shall be prima facie evidence of the proceedings of the board set forth therein, and a transcript thereof duly certified by the secretary of the board under seal shall have the same force and effect as if the original were produced. Annually, as of June thirtieth, the board shall submit to the Governor a report of its transactions of the preceding year.

SECTION 11. Roster of registered foresters.—A roster, showing the names and places of business of all registered foresters qualified according to the provisions of this act, shall be prepared by the secretary of the board during the month of July of each year. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public on request.

SECTION 12. Requirements for qualification as registered forester.—The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for a registration as a registered forester :

(1) Graduation from a curriculum in forestry of four years or more in a department, school or college approved by the board, and a specific record of an additional two years' or more experience in forestry of a character satisfactory to the board, and indicating that the applicant is competent to practice forestry ; or

(2) Successfully passing a written examination designed to show knowledge and skill approximating that obtained through graduation from an approved four-year curriculum in forestry, and a specific record of six years or more of practice in forestry of a character satisfactory to the board, and indicating that the applicant is competent to practice forestry.

(3) Any person who, on the effective date of this act, shall have been engaged in the practice of forestry as defined in Section 2 of this act, for at least eight years, shall be eligible for registration as a registered forester without reference to the requirements set forth in Items (1) and (2) of this section, provided that he file application for registration with the board within six months from the effective date of this act, or the organization of the board. The board shall issue licenses only to those applicants who meet the requirements of this section. *Provided*, that no person shall be eligible for registration as a registered forester who is not of good character and reputation.

The completion of the junior year of a curriculum in forestry in a school or college approved by the board shall be considered as equivalent to two years of practice; the completion of the senior year of a curriculum in forestry, without graduation, in a school or college approved by the board shall be considered as equivalent to three years of practice.

SECTION 13. Application—form—fee.—Applicants for registration shall make application on forms prescribed and furnished by the board. The applications shall contain statements made under oath showing the applicant's education and a detailed summary of his technical work and shall include not less than five references, of whom three or more shall be foresters having personal or professional knowledge of his forestry experience. The registration fee for a license as a registered forester shall be fifteen dollars, ten dollars of which shall accompany the application, the remaining five dollars of which is to be paid upon issuance of license. Should the applicant fail or refuse to remit the remaining five dollars within thirty days after being notified that he has successfully qualified, the applicant shall forfeit the right to have a license issued and the applicant may be required to again submit an original application and pay an original fee therefor. Should the board deny the issuance of a license to any applicant, the initial fee deposited shall be retained by the board as an application fee.

SECTION 14. Receipts and expenditures.—The secretary of the board shall receive and account for all moneys derived under the provisions of this act and shall pay them to the State Treasurer, who shall keep such moneys in a separate fund to be known as the fund of the State Board of Registration for Foresters. Such fund shall be kept separate and apart from all other moneys in the State Treasury and shall be paid out only by warrants regularly drawn by the chairman and secretary of the board. All moneys in the fund of the State Board of Registration for Foresters are hereby specifically appropriated for the use of the board. Under no circumstances shall the total amount of warrants issued by the Comptroller General in payment of the expenses and compensation provided for in this act exceed the amount of the examination, registration and renewal fees collected as herein provided.

SECTION 15. Examinations.—When written examinations are required, they shall be held at such time and place as the board shall determine. The methods of procedure shall be prescribed by the Board.

A candidate failing on examination may apply for re-examination at the expiration of six months and will be re-examined without payment of an additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

SECTION 16. License—issuance—contents—registrants to endorse their work.—The board shall issue a license upon payment of a registration fee as provided for in this act to any applicant who, in the opinion of the board, has satisfactorily met all of the requirements of this act. Licenses shall show the full name of the registrant, shall have a serial number and shall be signed by the chairman and the secretary of the board under seal of the board. The issuance of a license by the board shall be evidence that the registrant is entitled to all the rights and privileges of a registered forester while his license remains unrevoked or unexpired. Plans, maps, specifications and reports issued by a registrant shall be endorsed with his name and license number and it shall be a misdemeanor for anyone to endorse any documents after his license has expired or has been revoked. It shall be a misdemeanor for any registered forester to endorse any plan, specification, estimate, or map unless he shall have actually prepared such plan, specification, estimate, or map or shall have been in actual charge of the preparation thereof.

SECTION 17. Expiration and renewal of licenses.—Licenses shall expire on the last day of the month of June following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify, at his last registered address, every person registered under this act, of the date of the expiration of his license and the amount of the fee that shall be required for its renewal for one year. Such notice shall be mailed at least one month in advance of the date of the expiration of such license. The board shall, each year, prior to issuing renewal notices for the ensuing year, fix the annual renewal fee for licenses, which fee shall not exceed the sum of ten dollars. Renewal of licenses for the following year may be effected at any time during the month of June of the year in which such license has been issued or renewed by the payment of the renewal fee so fixed by the board. Such licenses may also be renewed during the ensuing ten months by the payment of an additional fee of fifty cents for each month or fraction thereof that payment of the fixed renewal fee is delayed beyond the month of June. The board shall make an excep-

tion to the foregoing renewal provisions in the case of a person who is in the armed services of the United States.

SECTION 18. Only individuals to be licensed.—Registration shall be determined upon a basis of individual personal qualifications. No firm, company, partnership, or corporation shall be licensed.

SECTION 19. Persons licensed by other states may be licensed.—Any person of good moral character licensed to practice forestry by any other state or country whose requirements are commensurate with the requirements of this State may, upon payment of fifteen dollars, be registered and licensed to practice forestry in this State, with renewal privileges as set forth in Section 17 of this act.

SECTION 20. Revocation of licenses—hearings.—The board shall have the power to revoke the license of any registrant who is found guilty by the board of gross negligence, incompetency, or misconduct in the practice of forestry. The board is empowered to designate a person or persons to investigate and report to it upon any charges of fraud, deceit, gross negligence, incompetency or other misconduct in connection with any forestry practice against any registrant, as may come to its attention. Any person may prefer charges of fraud, deceit, gross negligence, incompetency or misconduct in connection with any forestry practice, against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for the hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of the hearing, shall be personally served on, or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If, after such hearing, the board finds the accused guilty, the board shall revoke the license of such registered forester. Any applicant whose license has been revoked may apply for a review of the proceedings with reference to such revocation of his license in the circuit courts of this State. Such review shall be upon the record made before the board. Petition for review of this act of the board shall be served upon the board within ten days from the date of the

service of the order or decision of the board upon such person. Upon service upon it of a petition for review, the board shall within fifteen days certify the record made before it to the clerk of the circuit court. The board, for reasons it may deem sufficient, may reissue a license to any person whose license has been revoked. A new license to replace any license revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board. A charge of three dollars shall be made for such issuance.

SECTION 21. Penalties.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined or imprisoned in the discretion of the court.

SECTION 22. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R534, H1477)

No. 368

An Act To Amend Section 10-1761, Code Of Laws Of South Carolina, 1952, Relating To Sheriff's Sales Days, So As To Make The Section Applicable To All Judicial Sales.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-1761, 1952 Code, amended—when judicial sales may be held.—Section 10-1761, Code of Laws of South Carolina, 1952, is amended by striking the word “sheriff’s” on line 1 and inserting the word “judicial” and by striking the words “The sheriff may sell property” commencing on line 8 and inserting in lieu thereof the following: “Judicial sales of property may be conducted”, so that when so amended the section shall read as follows:

“Section 10-1761. The regular day of judicial sales shall be the first Monday in each month except when the first Monday in any month is a legal holiday in which case the sale day shall be on the Tuesday next succeeding such holiday. But the sheriff may sell personal property on any day after fifteen days’ advertisement at any convenient place in his county to be designated in the advertise-

ment. If there be not time to dispose of all the property on sale day the next day following shall also be a regular sale day, if by public outcry on sale day notice of sale on the next day shall have been given. Judicial sales of property may be conducted at any other time when so ordered by a court of competent authority."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R536, H1553)

No. 369

An Act To Amend Act No. 52 Of 1955, As Amended, Relating To Visiting Teachers, So As To Change The Designation Of Such Persons From Visiting Teachers To Attendance Supervisors, And To Provide That Attendance Supervisors Shall Be Certified By The State Board Of Education According To Qualification Requirements Determined By The State Board Of Education.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 52 of 1955 amended—census to be made of children not enrolled in schools.—Section 1 of Act No. 52 of 1955 is amended to read as follows:

"Section 1. Within thirty days after the opening date of each school year of each public school district in the State in which a public school is being operated, the trustees or other governing board thereof shall make or cause to be made a complete census of all children of school age therein, that is, between the years of seven and sixteen years, inclusive, who have not enrolled in such school district or in some other district during the thirty-day enrollment period. The names, ages, places of residence and names of the parents or guardians of such children of school age not enrolled shall be forthwith filed with the county superintendent of education, who shall thereupon consolidate all of such names of children in alphabetical order into one list and certify the list to the attendance supervisor of the county."

SECTION 2. Section 2 of Act 52 of 1955 amended—appropriation for attendance supervisors.—Section 2 of Act No. 52 of 1955 is amended to read as follows:

“Section 2. For each county which has indicated a desire for the service of an attendance supervisor or supervisors there shall be appropriated annually for the ensuing fiscal year a sum sufficient to pay the salaries and expenses of an attendance supervisor or supervisors for each county, one such supervisor for each ten thousand children, or fraction thereof, enrolled in each county as of the closing date of the school year immediately preceding the commencing of each such fiscal year. This sum shall be the State's portion of the attendance supervisor program. Nothing in this act shall limit the number of attendance supervisors that a county or a school district may employ at its own expense.”

SECTION 3. Section 3 of Act 52 of 1955 amended—when supervisors to be elected.—Section 3 of Act No. 52 of 1955 is amended to read as follows:

“Section 3. In each county desiring the services of an attendance supervisor, such supervisor shall, if his salary and expenses are to be paid by the State, be elected on or before July first of each year, or as soon thereafter as practicable, by the members of the county board of education whose terms of office run concurrently with or extend beyond the period of employment of such supervisor.”

SECTION 4. Section 4 of Act 52 of 1955 amended—qualifications.—Section 4 of Act No. 52 of 1955, as amended, is further amended by striking it out and inserting in lieu thereof the following: “Section 4. Attendance supervisors shall be certified by the State Board of Education. Qualifications for the certification of attendance supervisors shall be determined by the State Board of Education in the same manner as the board now determines qualifications for all other teachers provided that such certification requirements shall not adversely affect attendance supervisors who were employed prior to the passage of this act.”

SECTION 5. Section 5 of Act 52 of 1955 amended—cooperate with other agencies.—Section 5 of Act No. 52 of 1955 is amended to read as follows:

“Section 5. The county attendance supervisor whose salary shall be paid from State funds and such other attendance supervisors as may be employed by the county or school districts therein shall cooperate

with the social and civic organizations and agencies of the county or district, as well as with the trustees of the several school districts in the county."

SECTION 6. Section 6 of Act 52 of 1955 amended—duties relating to non-attending children.—Section 6 of Act No. 52 of 1955 is amended to read as follows:

"Section 6. The attendance supervisor shall, upon receiving the list of nonattending children from the county superintendent of education, contact as rapidly as possible the parents or guardians of such nonattending children with the object in mind of interesting nonattending children in school work, and influencing them by means of persuasion to attend school regularly. All principals shall report to such attendance supervisor on continuous absences which appear to be unwarranted, and the attendance supervisor shall make an earnest effort to have enrolled and keep enrolled all children of school age in the county."

SECTION 7. Section 7 of Act 52 of 1955 amended—duties—further.—Section 7 of Act No. 52 of 1955 is amended to read as follows:

"Section 7. In the event that any nonattending children reported to the attendance supervisor shall be unable to procure books, that fact shall be reported to the trustees and county superintendent of education, and steps shall be taken immediately to provide the necessary books and working material. In the event that such non-attending children shall not have suitable clothing or shoes, and the parents or guardians of such children are financially unable to provide the same, such condition shall be reported by the attendance supervisor to the social and civic organizations of such county for such action in the premises as to such social and civic organizations shall seem meet and proper."

SECTION 8. Section 8 of Act 52 of 1955 amended—accept money, clothes and other gifts for underprivileged children.—Section 8 of Act No. 52 of 1955 is amended to read as follows:

"Section 8. The attendance supervisor shall accept and receive from the social or civic organizations and agencies of the county or community all cash, clothes, shoes, books, materials and similar articles as may be provided, and shall supply them to the nonattending school children of the county who are unable or whose parents or guardians are unable financially to provide such articles."

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R537, H1557)

No. 370

An Act To Amend Section 6-477, Code Of Laws Of South Carolina, 1952, Authorizing The Livestock And Poultry Health Department Of Clemson Agricultural College To Accept Assistance From The U. S. Government, By Changing "Bureau Of Animal Industry" To "Animal Disease Eradication Division".

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-477, 1952 Code, amended—"Bureau of Animal Husbandry" changed to "Animal Disease Eradication Division."—Section 6-477, Code of Laws of South Carolina, 1952, is amended by striking the words "Bureau of Animal Industry" on lines 3 and 4, and inserting in lieu thereof the words "Animal Disease Eradication Division", so that when amended the section shall read as follows:

"Section 6-477. The Livestock and Poultry Health Department of The Clemson Agricultural College of South Carolina is vested with authority to appoint and commission, without salary from the State, as its inspectors, representatives of the Animal Disease Eradication Division, United States Department of Agriculture, and to accept from the United States Government such assistance, financial and otherwise, for carrying out the purpose of this article, as may be available from time to time."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R538, H1177)

No. 371

An Act To Repeal Sections 33-191 And 33-192, Code Of Laws Of South Carolina, 1952, Relating To The Construction Of A Thoroughfare Through Properties Of The South Carolina State Hospital, Since The Thoroughfare Has Been Completed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-191 and 33-192, 1952 Code, repealed.—Sections 33-191 and 33-192, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R540, H1393)

No. 372

An Act To Amend Section 27-501, Code Of Laws Of South Carolina, 1952, Relating To Fees Charged By The Secretary Of State, So As To Provide A Fee For Filing A Limited Partnership Agreement And To Delete Section 5, Part III, Of Act 644 Of 1954 And Add The Contents Thereof To Section 27-501, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-501, 1952 Code, amended—fees to be charged by Secretary of State.—Section 27-501, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following :

- “(9) For filing a limited partnership agreement, five dollars;
- (10) For furnishing a certificate under seal, one dollar;
- (11) For making a certified copy of a charter, two dollars;
- (12) For making a certified copy of a land grant, one dollar and sixty cents;
- (13) For making a certified copy of a plat, tracing—first four corners, one dollar; and five cents per additional corner, plus one dollar for certifying; copying—per page, thirty-five cents; and

(14) For certified copy of any record, one dollar and sixty cents. Fees received for these services shall be deposited in the State Treasury to the credit of the General Fund of the State."

SECTION 2. Section 5, Part III of Act 644 of 1954 repealed.—Section 5, Part III of Act 644 of 1954, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R541, H1476)

No. 373

An Act To Amend Section 28-966, Code Of Laws Of South Carolina, 1952, Relating To Penalties For Violations Of Certain Commercial Fisheries' Laws, So As To Further Provide For Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-966, 1952 Code, amended—penalties.—Section 28-966, Code of Laws of South Carolina, 1952, is amended by striking the section in its entirety and inserting in lieu thereof the following :

"Section 28-966. Any person licensed under this Article who shall fail to make the reports required by the Division of Commercial Fisheries on or before the tenth day of each month after the close of business for the preceding month, and who shall fail to pay the taxes as prescribed in this Article, or who shall violate any other provision of this Article for which no other specific penalty is provided shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days for the first offense. For a second offense he shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned for not less than twenty days nor more than thirty days. For a third offense, he shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned for not less than sixty days nor more than six months. Every day of delay in transmitting the taxes and

reports shall constitute a separate offense, and after having been convicted three times the Division of Commercial Fisheries is authorized to revoke the license."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R542, H1503)

No. 374

An Act To Regulate The Use Of Baskets In The Waters Of Catawba-Wateree Lakes And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Use of baskets for catching nongame fish in the Catawba-Wateree Lakes.—Baskets designed to catch nongame fish may be used for catching nongame fish in the Catawba-Wateree Lakes. All baskets used to catch nongame fish must be cylindrical in shape and shall not exceed thirty-six inches in diameter and seventy-two inches in length. The Director of the Division of Game of the Wildlife Resources Department may specify and define other type baskets or devices for taking nongame fish provided he is convinced that such basket or other device will not be injurious to the resource. Each person may use not more than three baskets, provided that a tag issued by the Wildlife Resources Department is attached to each basket or other device, such tags to cost one dollar each. The tag must be securely attached to each basket. Any person wishing to use more than three baskets, as outlined above, shall be classified as a commercial fisherman and shall secure from a game warden in that area a commercial fishing license for which he shall pay fifty dollars for each basket over three and up to twenty-five and one hundred dollars for each basket over twenty-five.

SECTION 2. Baskets to be marked.—All baskets over three described herein must be marked with visible floats and any such devices not marked and properly tagged will be subject to confiscation and the owner will be subject to violation of this act.

SECTION 3. Permits and licenses may be inspected.—Each non-game fish tag permit and commercial license shall be available for inspection at all times when the baskets or other devices provided for herein are being fished.

SECTION 4. Penalties.—Any person convicted of violating any provision in this act shall suffer the forfeiture of any and all tags or licenses held by him hereunder, shall be ineligible for any other license or tag during that calendar year, and shall be subject to a fine for the first offense of not less than fifty dollars nor more than one hundred dollars, for the second offense he shall be subject to a fine of one hundred dollars or imprisonment for thirty days, and for a third or subsequent offense imprisonment for thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R544, H1530)

No. 375

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding New Section 65-223.1, So As to Provide For The Taxation Of Real Estate Investment Trusts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 65-223.1 added—Real Estate Investment Trusts—taxing of.—The Code of Laws of South Carolina, 1952, is amended by adding new Section 65-223.1 which shall read as follows:

“Section 65-223.1. The tax imposed by this chapter upon corporations shall be imposed upon Real Estate Investment Trusts as now defined in Federal Internal Revenue Code, Section 856, and shall be levied, collected and paid annually with respect only to that part of the net income of the trust which has not been distributed; provided at least ninety per cent of its taxable income, for the taxable year, without regard to its capital gains, is declared and distributed as a dividend to shareholders or holders of certificates of beneficial

interest within the taxable year or before the time prescribed by law for the filing of its return for the taxable year (including the period of any extension of time granted for filing such return), otherwise all of the net income of the trust shall be taxable.

To the extent gains from the sale or exchange of capital assets, as defined in this chapter, after allowance for expenses relating to such sale or exchange are declared and distributed as a capital gains dividend to shareholders or holders of certificates of beneficial interest by the trust within the taxable year when such gain is realized or before the time prescribed by law for the filing of its return for the taxable year (including the period of any extension of time granted for filing such return), such distribution to the distributee shall be a gain from the sale or exchange of capital assets as defined in this chapter."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R545, H1555)

No. 376

An Act To Amend Section 6-472, Code Of Laws Of South Carolina, 1952, Providing For Observation Of Tuberculin And Paratuberculin Tests By The Livestock And Poultry Health Department Of The Clemson Agricultural College, By Striking Out The Words "United States Bureau Of Animal Industry" And Inserting In Lieu Thereof The Words "Animal Disease Eradication Division, United States Department Of Agriculture."

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6-472, 1952 Code, amended—"United States Bureau of Animal Husbandry" changed to "Animal Disease Eradication Division, U. S. Department of Agriculture."—Section 6-472, Code of Laws of South Carolina, 1952, is amended by striking out the words "United States Bureau of Animal Industry" and inserting in lieu thereof the words "Animal Disease Eradication

Division, United States Department of Agriculture" so that, when so amended, the section shall read as follows:

"Section 6-472. When the Livestock and Poultry Health Department of The Clemson Agricultural College of South Carolina shall be conducting tuberculosis or paratuberculosis eradication work in any county, in cooperation with the Animal Disease Eradication Division, United States Department of Agriculture, under the area plan or under its general authority, to eradicate, control and prevent contagious and infectious diseases of animals, all persons, firms or corporations owning or having cattle in their charge shall upon notice assemble or have assembled such cattle at a time and place designated by an inspector or veterinarian of the Livestock and Poultry Health Department of The Clemson Agricultural College of South Carolina or of the Animal Disease Eradication Division, United States Department of Agriculture, in order that tuberculin or paratuberculin tests may be applied. Assistance shall be given in confining these cattle in order that the test may be administered properly, and the same cattle shall be returned for observation at a time and place designated by said inspector or veterinarian. Any herd or herds of cattle or all cattle in the modified accredited area or other areas shall be tuberculin or paratuberculin tested or retested at such times as deemed advisable by the Livestock and Poultry Health Department of The Clemson Agricultural College of South Carolina."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Authorize The Town Council Of The Town Of Blacksburg In Cherokee County To Abolish The Offices Of Commissioners Of Public Works For The Town Under Certain Conditions And To Devolve The Powers And Duties Of Such Commissioners On The Mayor And Aldermen Of The Town.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Blacksburg—duties of commissioners of public works devolved upon mayor and aldermen.—The Town Council of the Town of Blacksburg in Cherokee County is authorized to abolish the offices of the Commissioners of Public Works for the town at any regular or special meeting of the Town Council. On the same day such offices are abolished all of the powers and duties thereof shall devolve upon the mayor and aldermen of the town. *Provided*, that as a condition precedent to such abolishment the Town Council shall pay, in a lump sum, all compensation to which such Commissioners would have been entitled to, had they served for the balance of their respective terms.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R549, H1816)

No. 378

An Act To Provide For The Appointment Of A Beaufort County Committee For Technical Training, And To Set Forth Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County Committee for Technical Training created—number—terms—organization.—There is hereby created the Beaufort County Committee for Technical Training which shall be a body politic and corporate and which shall consist of five members. The members shall be appointed for terms of two years each by the Governor upon the recommendation of a majority of the Beaufort County Legislative Delegation. The Chairman of the Beaufort County Development Board shall be an ex officio member. The committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter, the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the Legislative Delegation.

SECTION 2. Powers and duties.—The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following: (1) a program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) increased emphasis on industrial arts programs and basic industrial vocational programs within existing high school curriculums; (3) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry; and (4) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee, in carrying out these programs, shall cooperate with all State and Federal agencies designed to further technical education. The committee may purchase or lease such equipment, hire such personnel, including a superintendent and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State or Federal aid under any present or future statute, policy or regulation. The committee shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.

SECTION 3. Receipts and expenditures—accept gifts.—The committee shall receive and administer the funds received by it from all sources and make its accounting annually to the Beaufort County Legislative Delegation. The committee may receive gifts or grants of funds or property of any nature.

SECTION 4. Budget.—The committee shall submit a budget for the ensuing fiscal year on or before February fifteenth of each year to the Beaufort County Legislative Delegation.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R551, H1880)

No. 379**An Act To Amend Act No. 217 Of 1957, Relating To The Planning And Development Board For Marion County, So As To Increase The Membership Of The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 217 of 1957 amended—**Marion County Planning and Development Board created—members—terms—vacancies.**—Section 1 of Act No. 217 of 1957 is amended by striking the word “nine” in the first sentence and inserting in lieu thereof the word “eleven”, so that when amended the section shall read as follows :

“Section 1. There is hereby created the Marion County Planning and Development Board, which shall consist of eleven members to be appointed by the Marion County Legislative Delegation. The members shall be appointed for a term of two years, and until their successors are appointed and qualified. Any vacancy in the membership shall be filled in the same manner as the original appointments for the unexpired term. The County Legislative Delegation and the mayors of the incorporated municipalities of Marion County shall be ex officio members of the board. All appointments to membership on the board shall be transmitted to the Clerk of Court of Marion County, who shall properly record the same on the permanent records in his office, and likewise, the appointments shall be recorded in the minutes and records to be maintained by the board.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R552, H1881)

No. 380**An Act To Increase The Civil Jurisdiction Of Certain Magistrates In Marion County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marion County—jurisdiction of certain magistrates.—Notwithstanding the provisions of Section 43-51, Code of Laws of South Carolina, 1952, or any other law to the contrary, the jurisdiction of magistrates in cities in Marion County, having a population of five thousand or more according to the latest official United States Census, in civil cases shall extend to where the value of property in controversy or the amount claimed is not more than five hundred dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R556, H1938)

No. 381

An Act To Amend Act No. 881 Of The Acts Of 1956, Relating To Deeding Of Rights Of Way, Land, Roads, Etc., To Greenville County, Regulating And Marking Of County Vehicles And Regulating The Office Of County Supervisor, So As To Delete Authority Of The Supervisor Relative To Use Of Equipment And Labor For Eleemosynary Institutions, And To Repeal Section 10 Of Act No. 881 Of The Acts Of 1956, Relating To The Supervisor's Authority To Surface Treat Driveways And Walkways In School Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 9 of Act 881 of 1956 amended—machinery and prison labor may be used in emergencies.—Section 9 of Act No. 881 of the Acts of 1956 is amended by changing the semicolon on line 4 to a period and striking the remainder of the section so that, when so amended, the section shall read as follows:

“Section 9. The supervisor shall have the authority to use temporarily county machinery or prison labor for the purpose of fighting forest fires or other emergencies endangering life, limb and property.”

SECTION 2. Repeal—Section 10 of Act 881 of 1956 repealed.—Section 10 of Act No. 881 of the Acts of 1956 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R557, H1352)

No. 382

An Act To Provide For A South Carolina Estate Tax; To Provide Penalties For Violations; And To Repeal Chapters 7 and 8 Of Title 65, Code Of Laws Of South Carolina, 1952, Relating To Inheritance And Estate Tax.

Be it enacted by the General Assembly of the State of South Carolina :

Article I. Residents

SECTION 1. Rate of Tax.—A tax computed in accordance with the following table is hereby imposed on the transfer of the taxable estate determined as provided in Section 5 of this article of every decedent resident of South Carolina dying after the effective date of this act.

If the taxable estate is:	The tax shall be:
Not over \$40,000	4% of the taxable estate
Over \$40,000 but not over \$100,000	\$1,600 plus 5% of the excess over \$40,000
Over \$100,000	\$4,600 plus 6% of the excess over \$100,000

SECTION 2. Credits Against Tax. (a) **General Rule.**—The tax imposed by Section 1 of this article shall be credited with all or a part of the amount of the South Carolina estate tax paid with respect to the transfer of property including property passing as a result of the exercise or nonexercise of a power of appointment to the decedent by or from a person herein designated as a “transferor” who died within ten years before, or within two years after the decedent’s death. If the transferor died within two years of the death of the decedent, the credit shall be the amount determined under subsections (b) and (c). If the transferor predeceased the decedent by more than two years, the credit shall be the following percentage of the amount so determined:

- (1) eighty per cent, if within the third or fourth years preceding the decedent’s death;

- (2) sixty per cent, if within the fifth or sixth years preceding the decedent's death;
- (3) forty per cent, if within the seventh or eighth years preceding the decedent's death;
- (4) twenty per cent, if within the ninth or tenth years preceding the decedent's death.

Provided, if any property shall be included in the estate in respect of which a tax has been paid under the South Carolina inheritance tax and estate tax repealed by this act on account of the death of a decedent dying within ten years prior to the effective date of this act, then the tax imposed by Section 1 of this article shall be credited with such tax so paid, without regard to subsections (b) and (c) of this section, but with regard to the percentages of credit allowed by this subsection. The credit shall be in lieu of and not in addition to the credit otherwise allowed by this section.

(b) **Computation of Credit.**—The credit provided by this section shall be an amount which bears the same ratio to the estate tax paid adjusted as indicated hereinafter with respect to the estate of the transferor as the value of the property transferred bears to the taxable estate of the transferor determined for purposes of the estate tax decreased by any death taxes paid with respect to such estate and increased by the specific exemption in determining the taxable estate of the transferor for purposes of the estate tax. For purposes of the preceding sentence, the estate tax paid shall be the estate tax paid pursuant to this act increased by any credits allowed against the estate tax under this section on account of prior transfers where the transferor acquired property from a person who died within ten years before the death of the decedent.

(c) **Valuation of Property Transferred.**—The value of property transferred to the decedent shall be the value used for the purpose of determining the tax liability of the estate of the transferor for the purposes of this act, but (1) there shall be taken into account the effect of the tax imposed by this act or any other estate, succession, legacy or inheritance tax on the net value to the decedent of such property; (2) where such property is encumbered in any manner, or where the decedent incurs any obligation imposed by the transferor with respect to such property, such encumbrance or obligation shall be taken into account in the same manner as if the amount of a gift to the decedent of such property was being determined; and (3) if the decedent was the spouse of the transferor at the time of the

transferor's death, the net value of the property transferred to the decedent shall be reduced by the amount allowed under the sections relating to the allowance of the marital deduction, as a deduction from the gross estate of the transferor.

SECTION 3. Definition of Gross Estate.—The value of the gross estate shall be determined by including therein the value of the same property as shall be included in the gross estate of the decedent for Federal Estate Tax purposes under Sections 2031 to 2044, inclusive, of the Internal Revenue Code of 1954, as amended, through the date of enactment of this act, except the property excluded pursuant to Section 4 below.

SECTION 4. Exclusions from Gross Estate.—There shall be excluded from the gross estate of every resident of the State of South Carolina real or tangible personal property which has an actual situs outside the State of South Carolina at the time of death of the decedent.

SECTION 5. Definition of Taxable Estate.—For purposes of the tax imposed by Section 1 of this article, the value of the taxable estate shall be determined by deducting from the value of the gross estate the exemptions and deductions allowed for Federal Estate Tax purposes pursuant to Sections 2051 through 2056, inclusive, of the Internal Revenue Code of 1954, as amended, through the date of enactment of this act.

SECTION 6. Effect of Property Exclusions.—If property is excluded under Section 4 of this article, then each exemption and deduction granted under Section 5 of this article shall be reduced in the proportion that the value of real and tangible personal property which has an actual situs outside the State of South Carolina bears to the total value of the gross estate including such property.

SECTION 7. Tax Commission May Make Compromises Concerning Inheritance Taxes in Cases of Domiciliary Disputes.—When the Tax Commission claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states, territory or possession of the United States, or the District of Columbia make a like claim on behalf of their states, territory or possession of the United States, or the District of Columbia, the Commission with the approval of the Attorney General, may make a written agreement of compromise with the other taxing authorities

and the executor or administrator of a decedent that a certain sum may be accepted in full satisfaction of any and all inheritance and estate taxes imposed by this State, including any interest or penalties to the date of signing of the agreement. The agreement shall also fix the amount to be accepted by the other states in full satisfaction of inheritance and estate taxes. Unless the tax so agreed upon is paid within sixty days after execution of the agreement, interest or penalties shall thereafter accrue upon the amount fixed in the agreement, but the time between the decedent's death and the signing of such agreement shall not be included in computing the interest or penalties, provided that such agreement is consummated during the twelve month period following decedent's death.

Article 2. Estates of Nonresidents

SECTION 1. Tax Imposed.—A tax computed in accordance with the table contained in Section 1 of Article 1 is hereby imposed on the transfer of the taxable estate, determined as provided in Section 5 of this article, of every decedent not a resident of South Carolina dying after the effective date of this act.

SECTION 2. Credits Against Tax.—The tax imposed by Section 1 of this article shall be credited with the amounts determined in accordance with Section 2 of Article 1 relating to tax on prior transfers.

SECTION 3. Definition of Gross Estate.—For the purpose of the tax imposed by Section 1 of this article, the value of the gross estate of every decedent not a resident of South Carolina shall be that part of his gross estate determined as provided in Section 3 of Article 1 which at the time of his death is situate in the State of South Carolina.

SECTION 4. Property Situate in the State of South Carolina.—For the purposes of this article any real estate or any tangible personal property having an actual situs in the State of South Carolina shall be deemed property situate in the State of South Carolina.

SECTION 5. Taxable Estate of Nonresident.—For purposes of the tax imposed by Section 1 of this article the value of the taxable estate of a nonresident shall be determined by deducting from the value of the gross estate of the decedent for Federal state tax purposes the exemptions and deductions allowed for Federal estate

tax purposes under Sections 2051 through 2056, inclusive, of the Internal Revenue Code of 1954, as amended, through the date of the enactment of this act as adjusted pursuant to Section 6 below.

SECTION 6. Proportionate Allowance of Exemption and Deduction.—Each exemption and deduction granted under Section 5 of this article shall be allowed in the proportion that the real and tangible personal property having an actual situs in the State of South Carolina bears to the total gross estate as computed under Section 3 of Article 1.

SECTION 7. Duty of Executor or Administrator Appointed for Nonresident.—When real or personal estate within the State or any interest therein belonging to a person who is not a resident of the State shall pass by will or otherwise so that it may be subject to tax under the provisions of this chapter and an executor or administrator of the estate of the decedent is appointed by a probate court of this State upon ancillary proceedings or otherwise, such executor or administrator shall, for the purpose of this chapter, have the same powers and be subject to the same duties and liabilities with reference to such estate as though the decedent had been a resident of this State.

SECTION 8. Appointment of Resident Administrator for Nonresident Estates.—In the absence of administration in this State upon the estate of a non-resident, the Commission may, at the request of an executor or administrator duly appointed and qualified in the state of the decedent's domicile or at the request of a devisee, legatee, distributee, or grantee under a conveyance made during the grantor's lifetime, and upon satisfactory evidence furnished it by such executor, administrator, devisee, legatee, distributee or grantee, or otherwise, determine whether or not any part of the estate of such decedent within this State is subject to tax under the provisions of this act and may apply to the proper probate court for the appointment of an administrator in this State as provided in Section 19-404, Code of Laws of South Carolina, 1952.

SECTION 9. Tax Payable upon Transfer of Securities by Foreign Fiduciary.—If a foreign executor, administrator or trustee shall assign or transfer any stock or obligations in this State standing in the name of the decedent or in trust for a decedent, liable to any such tax, the tax shall be paid to the Commission on the transfer thereof.

SECTION 10. When Tax Not Applicable to Personal Property.

—The tax imposed by this act in respect to personal property, except tangible personal property having an actual situs in this State, shall not be payable:

(1) If the transferor at the time of his death was a resident of a state or territory of the United States or of any foreign country which at the time of his death did not impose a transfer tax or death tax of any character in respect to property of residents of this State, except tangible personal property having an actual situs in such state, territory, or foreign country; or

(2) If the laws of the state, territory or country of residence of the transferor at the time of his death contained a reciprocal exemption provision under which nonresidents were exempted from transfer taxes or death taxes of every character in respect to personal property, except tangible personal property having an actual situs therein, if the state, territory or country of residence of such nonresident allowed a similar exemption to residents of the state, territory or country of residence of such transferor.

Article 3. Additional Estate Tax

SECTION 1. Imposition of Additional Tax.—A tax in addition to the estate tax imposed by Articles 1 and 2 hereof is imposed upon the transfer of the taxable estate of every decedent whether a resident or a nonresident of the State, when the estate tax as imposed under Articles 1 and 2 hereof is a lesser amount than the maximum credit allowable under Section 2011 of the Internal Revenue Code of 1954, as amended, through the date of enactment of this act for residents, or that portion of the maximum credit allowable as determined below for nonresidents. In any such case the estate tax so provided for in Articles 1 and 2 shall be increased by an additional tax on the taxable estate so that the aggregate amount of the tax due this State for such estate tax as provided in Articles 1 and 2 and the additional tax imposed by this section shall be the maximum amount of credit allowed under Section 2011 of the Internal Revenue Code of 1954, as amended, for residents or that portion of the maximum credit allowable as determined below for nonresidents. In the case of nonresidents the portion of the maximum allowable credit shall be a sum equal to such proportion of the amount of credit allowable under the applicable federal revenue act for estate, inheritance, legacy

and succession taxes actually paid to the several states, as the value of the property taxable in this state bears to the value of the entire gross estate wherever situate.

Article 4. Returns and Records

SECTION 1. Returns and Records.—Every person liable for any tax imposed by this act, or for the collection thereof, shall keep such records, render such statements, make such returns and comply with such reasonable rules and regulations relating to such matters as the Tax Commission may from time to time prescribe. Whenever in the judgment of the Tax Commission it is necessary, it may require any person, by notice served upon such person or by regulations, to make such returns, render such statements or keep such records as the Tax Commission deems sufficient to show whether or not such person is liable for tax under this act.

SECTION 2. Returns by Executor.—In all cases where the gross estate at the death of a resident exceeds sixty thousand dollars the executor shall make a return with respect to the estate tax imposed by this act. In the case of a person not a resident of South Carolina, if that part of the gross estate which is situated in South Carolina and that part of the gross estate which is situated outside the State of South Carolina in the aggregate exceeds sixty thousand dollars, the executor shall make a return with respect to the estate tax imposed by this act. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein. Upon notice from the Tax Commission such person shall in like manner make a return as to such part of the gross estate. A return made by one of two or more joint fiduciaries shall be sufficient compliance with the requirements of this section. A return made pursuant to this section shall contain a statement that the fiduciary has sufficient knowledge of the affairs of the person for whom the return is made to enable him to make the return, and that the return is, to the best of his knowledge and belief, true and correct.

SECTION 3. Copy of Federal Estate Tax Return to be Filed.—It shall be the duty of the executor of every person who may die a resident of this State or a nonresident with real estate or tangible personal property having an actual situs in this State to file with

the Tax Commission a duplicate of all Federal Estate Tax returns which he is required to make to the Federal authorities.

SECTION 4. Blanks and forms.—The Tax Commission shall prescribe all forms, books and blanks for the use of the probate judges necessary for the administration of this act, which shall be provided at the expense of the several counties, and the Commission shall mail notice to the probate judge of each form, book or blank required to be used thirty days before the use thereof is required.

SECTION 5. Tax Commission to Receive Copies of Inventory and Appraisal.—The probate judge shall send to the Commission by mail a copy of the inventory and appraisal of the assets of every estate the gross assets of which for probate purposes are equal to or exceed the sum of forty thousand dollars within thirty days after it is filed, together with a copy of any will probated with respect to the estate.

SECTION 6. When Returns to be Filed.—Returns required hereunder shall be filed within fifteen months after the date of the decedent's death.

SECTION 7. Extension of Time for Filing Returns.—The Tax Commission may grant reasonable extensions of time for filing any return, statement or other document required by this act or by regulation. No such extension, however, shall be for more than six months.

SECTION 8. Showing and Appraisal of, and Oaths as to Property—Penalties.—The Commission may require any executor or administrator to show the property of the decedent to the Commission or its representative upon demand and may employ a suitable person to appraise the property. The executor or administrator shall make and subscribe his oath that the property shown on the inventory and appraisal filed by him in the probate court includes all the property, both real and personal, of the decedent that has come to his knowledge or into his possession. The appraiser shall prepare an inventory of such property, shall appraise it at its fair market value at the time of the decedent's death, and shall return such inventory and appraisal to the Commission. An executor or administrator who shall neglect or refuse to show the property of the decedent to such an appraiser upon demand or to make and subscribe such oath shall be liable for the same penalties provided in Sections 19-453, 19-459, and 19-461, Code of Laws of South Carolina, 1952.

SECTION 9. Tax Commission May Examine Documents.—At any time after the expiration of the time required by this act for the filing of any return required therein the Tax Commission may require such executor or administrator or any person or corporation interested in the succession to appear at the office of the Commission at such time as the Tax Commission may designate and then and there to produce for the use of the Tax Commission in determining whether or not the estate is subject to such tax and the amount of such tax, if any, all books, papers or securities which may be within the possession or within the control of such executor, administrator or beneficiary relating to such estate or tax and to furnish such other information relating to the same as he may be able and the Tax Commission may require.

SECTION 10. Failure to obey summons—contempt proceedings.—Whenever any person summoned under the provisions of this act neglects or refuses to obey such summons as required, the Commission may apply to any circuit judge of the State for an attachment against him for contempt. Any such judge shall hear the application and, if satisfactory proof is made, issue an attachment directed to the sheriff of the county in which the person resides for the arrest of such person and upon his being brought before him shall proceed to a hearing of the case. Upon such hearing the judge may make such order as he shall deem proper, not inconsistent with existing laws for the punishment of contempt, to enforce obedience to the requirements of the summons and to punish such person for his default or disobedience.

SECTION 11. Mandamus to Compel Appearance.—In case of the refusal or neglect of any person so summoned by the Commission to appear before it and produce such books, papers or securities, the Commission may apply to any justice of the Supreme Court, circuit judge or the judge of the county court for Richland County for a mandamus to compel obedience to such summons and the hearing thereon may be had in Richland County or any other convenient county.

Article 5. Payment of Tax

SECTION 1. Payment of Tax.—The tax imposed under this act shall be due and payable no later than fifteen months from the date of the decedent's death and shall be payable to the Tax Commission at its office in Columbia.

SECTION 2. Payment of Tax, further.—Upon receipt of notice and demand from the Tax Commission as provided for in Section 7 of Article 6, there shall be paid at the time and place stated in such notice the amount of any tax, including any interest and assessable penalties stated in such notice and demand.

SECTION 3. Extension of Time for Payment of Tax.—The Tax Commission may extend the time for the payment of the amount of tax required by this act for a reasonable period not to exceed six months. However, if the Tax Commission finds that the payment, on the due date of any part of the amount determined by the executor as the tax imposed by this act would result in undue hardship to the estate, it may extend the time for payment for a reasonable period not in excess of five years from the date prescribed by Section 1 of this article. The Tax Commission shall issue such rules and regulations as it may deem necessary to implement this section.

Article 6. Assessment and Collection

SECTION 1. Assessment.—The Tax Commission is authorized and required to make assessment of all taxes, including interest and assessable penalties imposed by this act, or accruing under the former inheritance and estate tax laws, including taxes due in respect to those estates for which returns have not been filed at the time and in the manner provided by law. This authority shall include also the assessment by the Tax Commission of all taxes determined by the executor as to which a return has been filed under this act.

SECTION 2. Assessment, further.—The assessment shall be made by recording the amount of the tax in the office of the Tax Commission in accordance with rules or regulations prescribed by the Tax Commission. Upon request of the executor, the Tax Commission shall furnish the executor a copy of the record of assessment.

SECTION 3. Deficiencies.—For the purposes of this act, the term “deficiency” means the amount by which the tax imposed by this act exceeds the excess of

(1) the sum of

(a) the amount shown as the tax by the taxpayer upon his return, if a return was made by the taxpayer and an amount was shown as the tax by the taxpayer thereon, plus

(b) the amounts previously assessed (or collected without assessment) as a deficiency, over

(2) the amount of any credits allowable with respect thereto.

SECTION 4. Deficiencies.—If the Tax Commission determines that there is a deficiency in respect of the tax imposed by this act, it is authorized to send notice of such deficiency to the executor. Such notice shall be sent by certified or registered mail to the executor at his last known address. Such notice shall reasonably apprise the executor of the grounds for the proposed deficiency.

SECTION 5. Restrictions Applicable to Deficiencies; Petition to Circuit Court.

(a) **Time for filing petition and restriction of assessment.**

Within ninety days after the notice of deficiency authorized in Section 4 of this article is mailed, not counting Saturday, Sunday or a legal holiday as the last day, the executor may file a petition with the Circuit Court for the circuit wherein the estate is being administered or with the Court of Common Pleas for Richland County for a re-determination of the deficiency.

No assessment of a deficiency in respect of the tax imposed by this act and no levy or proceeding in court for its collection shall be made, begun or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such ninety-day period, nor, if a petition has been filed with the Circuit Court, until the decision of the Circuit Court shall have become final.

(b) **Exception to Restriction of Assessment for Mathematical Errors.**

If the executor is notified that, on account of a mathematical error appearing upon the return, an amount of tax in excess of that shown on the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered as a notice of deficiency for purposes of subsection (a) of this section, and the executor shall not have any right to file a petition with the Circuit Court based on such notice, nor shall such assessment or collection be prohibited by the provisions of subsection (a) of this section.

(c) **Exception to Restriction of Assessment for Waiver and Voluntary Payment.**

The Tax Commission may by regulations issued pursuant to Section 2 of this article provide for the making of assessments (1) where the executor in writing has waived the restrictions on assessment and

collection prescribed in subsection (a) of this section and (2) where the executor has made any payment as a tax or in respect of any tax.

(d) **Procedure on Appeal to Circuit Court.**

The petition filed with the Circuit Court pursuant to subsection (a) of this section shall be accompanied by a detailed statement of each particular which is to be reviewed and no item shall be considered or reviewed if not specifically set forth in such detailed statement. A copy of such petition shall be served upon the Tax Commission within the ninety-day period provided in subsection (a) hereof and upon all other parties in interest within a reasonable time thereafter. Such appeal shall be determined by the Circuit Court, either in open court or at chambers, upon testimony before the court or taken before a referee appointed by the court for that purpose. The costs shall be taxed as in equity causes in this State.

SECTION 6. Collection.—The Tax Commission shall collect the taxes imposed by this act.

SECTION 7. Collection, further.—The Tax Commission shall as soon as practicable, and within sixty days, after the making of an assessment of a tax pursuant to Section 2 of this article, give notice to each person liable for the unpaid tax, stating the amount and demanding payment thereof. Such notice shall be left at the dwelling or usual place of business of such person, or shall be sent by mail to such person's last known address. Except where the Tax Commission believes collections would be jeopardized by delay, if any tax is assessed prior to the last date prescribed for payment of such tax, payment of such tax shall not be demanded as provided above until after such date.

SECTION 8. Collection, further.—The Tax Commission shall give receipts for all sums collected by it.

Article 7. Liens

SECTION 1. Lien.—Unless the estate tax imposed by this act is sooner paid in full, it shall be a lien for ten years from the date of death of the decedent upon the gross estate of the decedent; except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien.

SECTION 2. Lien, further.—If the estate taxes imposed by this act are not paid when due, then the spouse, transferee, trustee, sur-

living tenant, person in possession of the property by reason of the exercise, nonexercise or release of a power of appointment, or beneficiary, who receives, or has on the date of the decedent's death property included in the gross estate under Sections 3 of Articles 1 and 2 of this act to the extent of the value, at the time of the decedent's death, of such property, shall be personally liable for such tax. Any part of such property transferred by, or transferred by a transferee of, such spouse, transferee, trustee, surviving tenant, person in possession of property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, to a bona fide purchaser, mortgagee or pledgee, for an adequate and full consideration in money or money's worth shall be divested of the lien provided in Section 1 of this article and a like lien shall then attach to all the property of such spouse, transferee, trustee, surviving tenant, person in possession, beneficiary, or transferee of any such person except any part transferred to a bona fide purchaser, mortgagee or pledgee for any adequate and full consideration in money or money's worth.

SECTION 3. Lien, further.—Subject to such rules or regulations as the Tax Commission may prescribe, the Tax Commission may issue a certificate of discharge of any or all of the property subject to any lien imposed by Sections 1 and 2 of this article if the Tax Commission finds that the liability secured by such lien has been fully satisfied or provided for. A certificate of release or of discharge issued under this section shall be held conclusive that the lien upon the property covered by the certificate is extinguished.

Article 8. Limitations on Assessment and Collection

SECTION 1. Limitations on Assessment and Collection.—Except as otherwise provided in this article, the amount of any tax imposed by this act shall be assessed within three years after the return was filed, whether or not such return was filed on or after the date prescribed, and no proceedings in court without assessment for the collection of such tax shall be begun after the expiration of such period. For purposes of this section, a return filed before the last day prescribed by law shall be considered filed on such last day.

SECTION 2. Limitations on Assessment and Collection in Case of False or Fraudulent Return.—In the case of a false or fraudulent return with the intent to evade tax, the tax may be assessed or a

proceeding in court for collection of such tax may be begun without assessment at any time.

SECTION 3. Limitations on Assessment and Collection in Case of Failure to File Return.—In the case of failure to file a return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment at any time.

SECTION 4. Limitations on Assessment and Collection Where More Than Twenty-five Per Cent Omitted.—In the case of a return of estate tax hereunder, if the executor omits from the gross estate items includible in such gross estate as exceed in amount twenty-five per cent of the gross estate stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within six years after the return was filed. In determining the items omitted from the gross estate, there shall not be taken into account any item which is omitted from the gross estate stated in the return if such item is disclosed in the return or in a statement attached to the return, in a manner adequate to apprise the Tax Commission of the nature and amount of such item.

SECTION 5. Limitations on Assessment and Collection Six Years for Levy.—Where the assessment of the tax imposed by this act has been made within the period of limitation properly applicable thereto, such tax may be collected by levy or by a proceeding in court, but only if the levy is made or the proceeding begun within six years after the assessment of the tax.

SECTION 6. Limitations on Assessment and Collection, Period Suspended by Extension of Time.—The running of the period of limitations for collection of any tax imposed by this act shall be suspended for the period of any extension of time for payment granted under the provisions of Section 3 of Article 5.

SECTION 7. Limitations on Assessment and Collection, Certain Charitable Transfers.—The running of the period of limitations for assessment or collection of any tax imposed by this act shall be suspended in respect of the estate of a decedent claiming a deduction under Section 2055 (b) (2) of the Internal Revenue Code as amended through the enactment of this act until thirty days after the expiration of the period for assessment or collection of the tax imposed by this act on the estate of the surviving spouse.

Article 9. Interest and Penalties**SECTION 1. Interest.**

(a) **General Rule.**—If the amount of tax imposed by this act is not paid on or before the last date prescribed for payment, interest on such amount at the rate of six per cent per annum shall be paid for the period from such last date to the date paid. The last date prescribed for payment shall be determined without regard to any extension of time for payment.

(b) **Interest Treated as Tax.**—Interest prescribed under this section on any tax shall be paid upon notice and demand and shall be assessed, collected and paid in the same manner as taxes.

(c) **Limitation of Assessment.**—Interest prescribed under this section on any tax may be assessed and collected at any time during the period within which the tax to which such interest relates may be collected.

SECTION 2. Penalty for Failure to File Return.—In case of failure to file any return required under this act on the date prescribed therefor, determined with regard to any extension of time for filing, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be added to the amount required to be shown as tax on such return five per cent of the amount of such tax, if the failure is for not more than one month, with an additional five per cent for each additional month or fraction thereof during which such failure continues, not exceeding twenty-five per cent in the aggregate. For purposes of the foregoing sentence, the amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

SECTION 3. Failure to Pay the Tax.—If the failure to pay any part of the tax required to be shown on a return is due to fraud, there shall be added to the tax an amount equal to fifty per cent of the underpayment.

SECTION 4. Willful Failure to File Return, Supply Information or Pay Tax.—Any person required under this act to pay any tax or required by this act or by regulations made under authority thereof to make a return, keep any records, or supply any information who willfully fails to pay such tax, make such return, keep such

records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than ten thousand dollars or imprisoned not more than three years, or both.

SECTION 5. Statute of Limitations.—No person shall be prosecuted, tried, or punished for any offense under this act unless the indictment is found or the information instituted within six years next after the commission of the offense.

Article 10. Miscellaneous Provisions

SECTION 1. Definition of Executor.—The term "Executor" wherever it is used in this act in connection with the estate tax imposed by this act means the executor or administrator of the estate of the decedent, or, if there is no executor or administrator appointed, qualified and acting within the State of South Carolina, then any person in actual or constructive possession of any property of the decedent.

SECTION 2. Reimbursement Out of Estate.—If the tax or any part thereof is paid by, or collected out of, that part of the estate passing to or in possession of any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this act that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution.

SECTION 3. Liability of Life Insurance Beneficiaries.—Unless the decedent directs otherwise in his will, if any part of the gross estate on which tax has been paid consists of proceeds of policies of insurance on the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds of such policies bear to the sum of the taxable estate and the amount of the exemption allowed in computing the taxable estate determined

under Section 5 of Article 1. If there is more than one such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio. In the case of such proceeds receivable by the surviving spouse of the decedent for which a deduction is allowed under Section 5 of Article 1, this section shall not apply to such proceeds except as to the amount thereof in excess of the aggregate amount of the marital deductions allowed under such section.

SECTION 4. Liability of Recipient of Property Over Which Decedent Had a Power of Appointment.—Unless the decedent directs otherwise in his will, if any part of the gross estate on which the tax has been paid consists of the value of property included in the gross estate under Section 3 of Article 1 or Section 3 of Article 2, the executor shall be entitled to recover from the person receiving such property by reason of the exercise, nonexercise or release of a power of appointment such portion of the total tax paid as the value of such property bears to the sum of the taxable estate and the amount of the exemption allowed in computing the taxable estate determined under Section 5 of Article 1, relating to the specific exemption, and Section 5 of Article 2. If there is more than one such person, the executor shall be entitled to recover from such persons in the same ratio. In the case of such property received by the surviving spouse of the decedent for which a deduction is allowed under Section 5 of Article 1 or Section 5 of Article 2, relating to the marital deduction, this section shall not apply to such property except as to the value thereof reduced by an amount equal to the excess of the aggregate amount of the marital deductions allowed under Section 5 of Article 1 or Section 5 of Article 2 over the amount of proceeds of insurance upon the life of the decedent receivable by the surviving spouse for which proceeds a marital deduction is allowed under such sections.

SECTION 5. No Transfer Without Retention of Portion for Tax or Waiver From Commission.—No safe deposit company, trust company, corporation, bank or other institution or person having in possession or under control securities, deposits or other assets belonging to or standing in the name of a decedent who was a resident or nonresident or belonging to or standing in the joint name of such decedent and one or more persons, including the shares of the capital stock of or other interest in the safe deposit company, trust company, corporation, bank or other institution making the delivery or transfer provided in this section, shall deliver or transfer the

same to the executors, administrators or legal representatives of such decedent or to the survivor or survivors when held in the joint name of a decedent and one or more persons or upon their order or request unless notice of the time and place of such intended delivery or transfer be served upon the Commission at least ten days prior to such delivery or transfer; nor shall any safe deposit company, trust company, corporation, bank or other institution or person deliver or transfer any securities, deposits or other assets belonging to or standing in the name of a decedent or belonging to or standing in the joint name of a decedent and one or more persons, including the shares of the capital stock of or other interest in the safe deposit company, trust company, corporation, bank or other institution making the delivery or transfer, without retaining a sufficient portion or amount thereof to pay any tax or interest which may thereafter be assessed on account of the delivery or transfer of such securities, deposits or other assets, including the shares of the capital stock of or other interest in the safe deposit company, trust company, corporation, bank or other institution making the delivery or transfer under the provisions of this section unless the Commission consent thereto in writing.

SECTION 6. Enforcement of Section 5 of this Article.—The Commission, personally or by representatives, may examine such securities, deposits or assets at the time of such delivery or transfer. Failure to serve such notice, to allow such examination or to retain a sufficient portion or amount to pay such tax and interest, as provided in this article, shall render such safe deposit company, trust company, corporation, bank or other institution or person liable to the payment of the amount of the tax and interest due or thereafter to become due upon such securities, deposits or other assets, including the shares of the capital stock of or other interest in the safe deposit company, trust company, corporation, bank or other institution making the delivery or transfer, and in addition thereto a penalty of one thousand dollars. The payment of such tax and interest thereon or of the penalty above described, or both, may be enforced in an action brought by the Commission in any court of competent jurisdiction. But the Commission, upon good cause shown, may, in its discretion, remit such penalty in whole or in part.

SECTION 7. When Court May Authorize Sale of Real Estate.—The probate court may authorize executors, administrators and

trustees to sell the real estate of a decedent for the payment of such tax in the same manner as it may authorize them to sell real estate for the payment of debts.

SECTION 8. Appearance of Commission in Court; Notice of Proceedings in Court.—The Commission shall be entitled to appear in any proceeding in any court in which the decree may in any way affect the tax and no decree in any such proceeding or appeal therefrom shall be binding upon the State unless personal notice of such proceeding shall have been given to the Commission.

SECTION 9. Payment of Judgment and Remittance to State Treasurer; Executions.—Whenever the Commission in any action instituted by it recovers taxes under the provisions of this act, the amount of the judgment so recovered shall be paid to the Commission and the Commission shall turn over to the State Treasurer all of such taxes after paying the costs, disbursements and expenses of such suit. The Commission shall issue executions for any taxes which remain unpaid for a period of ninety days.

SECTION 10. Effect of Act on Accrued Penalties; Remission Thereof.—Liability to any penalty that may have heretofore accrued shall not be affected by this act and any such penalty may be enforced as heretofore provided. But the Commission may, upon good cause shown, in its discretion remit such penalty in whole or in part.

SECTION 11. Repeal.—Chapters 7 and 8 of Title 65, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time Effective.—This act shall be effective with respect to the estate of any decedent dying after December 31, 1961, and otherwise it shall be effective as of January 1, 1962; *provided*, that the phrase "the date of the enactment of this act" as used herein shall mean the date of approval by the Governor.

Approved the 23rd day of May, 1961.

Duties And Term Of Office; To Provide For The School District Of Oconee County, The Election Of School Trustees And To Define Their Powers And Duties; To Provide For Other Matters Relating To Schools In Oconee County; And To Repeal Act No. 322 Of The Acts Of 1953, As Amended, Relating To The School District Of Oconee County And Other Matters Relating To The Schools Of Oconee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee County Superintendent of Education—election—term.—The Superintendent of Education of Oconee County shall be elected by the qualified electors of the county for a term of four years in the manner provided for in this act. A special election shall be held on the second Tuesday in July, 1961, at which time a qualified elector of Oconee County shall be elected to take office on August 1, 1961, and to continue in office until July 1, 1963, after which the term of office shall be for four years. The successor in office, except for the unexpired portion of a term, shall be elected in the general election of 1962, and shall take office on July 1, 1963, immediately following the election. Thereafter, the successors shall be elected in the general election immediately preceding the expiration of the term of office.

SECTION 2. Conduct of election.—The special election provided for herein shall be held by the Commissioners of Election for Oconee County on the second Tuesday in July, 1961. The commissioners shall give notice of the election by publication once each week for three successive weeks in one or more newspapers having general circulation in the county, the last notice to appear at least thirty days prior to the holding of the election. The notice shall set the time for holding the election, shall specify the location of the various voting places throughout the county, the qualifications of the candidates, the closing date for qualification of candidates and the amount of the entrance fee. The notice shall also specify the manner in which candidates shall qualify and the place. The commissioners of election shall appoint box managers and such other election officials as are allowed by law, and shall have ballots printed and distributed in sufficient numbers to each voting place in time for use by the election officials. The polls shall be open from 8 a. m. to 6 p. m., and the ballots shall be counted and the results announced by the commissioners of election in the manner provided by law. The expenses of the special election shall be paid

from the general fund of Oconee County on vouchers signed by the chairman of the board of the commissioners of election. The closing date for qualification of candidates in the special election shall be not later than three weeks prior to the holding of the election.

SECTION 3. Vacancies.—In the event of a vacancy a successor shall be elected for the unexpired portion of the term in the same manner as provided herein for the special election.

SECTION 4. Qualifications.—No person shall be eligible to qualify as a candidate who is not a qualified elector of Oconee County and does not have a Master's degree with secondary school administrative experience and teaching experience, the combination of which shall be not less than three years, or a degree from an accredited college with secondary school administrative experience and teaching experience, the combination of which shall be not less than six years. All candidates shall furnish to the commissioners of election or officials responsible for holding a primary an affidavit setting forth their qualifications. Should a candidate furnish an affidavit which reflects that the qualifications are below the minimum provided for by this act, then such candidate's name shall not be placed upon the ballot.

SECTION 4-A. Salary.—The superintendent of education shall receive annually a salary to be fixed by the board of trustees, to be not less than seven thousand dollars.

SECTION 5. To be appointed if no candidate qualifies.—In the event no person qualifies as a candidate for superintendent of education, no election shall be held and, in such event, the Governor shall appoint a superintendent of education upon the recommendation of a majority of the county board of trustees.

SECTION 6. School District of Oconee County—corporate body—powers.—The School District of Oconee County is declared to be a body politic and corporate and is vested with all the rights, privileges and responsibilities as other school districts possess under the general laws of South Carolina.

SECTION 7. Board of Trustees—number—election—terms—vacancies—powers and duties.—The public educational system of Oconee County shall be directed and managed by the Board of Trustees of The School District of Oconee County. The board shall be composed of twelve members, with one each to be elected from each of the

high school areas, and an additional member from the high school areas of Walhalla, Seneca and Westminster. The members shall be elected for terms of four years and shall hold office until their successors have been elected and qualify. The election shall be held on the third Saturday in June and only the residents of each high school area shall vote for the representative of the area in which such voter resides. Any vacancy occurring on the board shall be filled for the unexpired term as now provided for filling such vacancies. Any and all duties which are now or which may hereafter by any special or general law be devolved upon the Board of Education of Oconee County are hereby imposed upon and devolved upon the Board of Trustees of The School District of Oconee County. All remittances and reports required by law to be made by any department of the government to the county board of education shall be made to the Board of Trustees of The School District of Oconee County, as established under this act. There shall be elected in the year 1961 a member from Fair Play, Keowee, Salem, Walhalla, Westminster, and Seneca. The terms of the members now serving from the areas of Cleveland, Walhalla, and Westminster are hereby extended to June 30, 1963.

SECTION 8. Property and money.—Title to all school property in Oconee County, real or personal which is now or has been heretofore used for school purposes, as well as that which may be hereafter acquired, shall vest in The School District of Oconee County. All monies standing to the credit of any school district shall vest in and become the property of The School District of Oconee County on the effective date of this act.

SECTION 9. Liabilities—payment of debts.—The School District of Oconee County assumes all liabilities, obligations and indebtedness of the several school districts heretofore existing. The full faith, credit and taxing power of the district is hereby pledged to the payment of any outstanding indebtedness of the several school districts. An amount sufficient to pay the interest on bonds of the districts and, at maturity, the principal thereof, shall be included in the annual budget prepared by the board of trustees.

SECTION 10. Powers and duties—further.—In addition to the powers and duties now provided for by law, the board of trustees shall have the following powers and duties:

(1) Employ any personnel it deems necessary for the efficient operation of the schools;

- (2) Adopt administrative policies;
- (3) Plan and construct new buildings;
- (4) Issue bonds to construct and repair buildings and pledge capital outlay funds from state, federal and local tax sources for their payment, under conditions stated herein;
- (5) Operate a building maintenance and repair program;
- (6) Issue short-term notes in anticipation of taxes and state aid funds, and pledge such revenues to the payment thereof;
- (7) Exercise the right of eminent domain in securing necessary property;
- (8) Determine and evaluate the educational program;
- (9) Cause regular audits to be made, and publish annual and special reports;
- (10) Keep an accurate record of board proceedings;
- (11) Direct a continuing school census;
- (12) Provide for all school elections;
- (13) Fix the length of the school term;
- (14) Administer state aid to public schools and fix the amount of supplement to be paid to the teachers in the several schools within the county;
- (15) Arrange with adjoining counties for interchange of pupils or educational services;
- (16) Adopt budgets and budgetary controls;
- (17) Conduct surveys and, upon the results obtained, reorganize attendance areas, the curriculum, the supervisory program, auxiliary services, or any part of the educational program delegated by the State to the county board of education or to school trustees; and
- (18) The board is granted the authority to draw warrants upon school funds in the hands of the treasurer for the payment of any services contracted for by the board, for the payment of insurance premiums, including workmen's compensation premiums for the district, for the payment of withholding taxes from salaries, and for the payment for any acts authorized by the board of trustees pursuant to the duties of the board, as set forth in this section.

SECTION 11. Powers and duties of superintendent of education.—The county superintendent of education shall be charged with the following duties and responsibilities:

- (1) Act as ex officio chairman of the Board of Trustees, with no vote except in case of a tie;

- (2) Recommend personnel he deems necessary to be employed by the board;
- (3) Prepare and administer annual budgets;
- (4) Operate the school building and maintenance program;
- (5) Develop a guidance and instructional program; and
- (6) Carry out all duties, plans, policies and recommendations of the board.

SECTION 12. Advisory trustees—duties.—The board of trustees shall appoint an advisory board of trustees for each high school area and such other advisory boards of trustees as it deems necessary. The member of the board of trustees of the high school area shall be ex officio a member of the advisory board of trustees.

The advisory board of trustees may recommend to the board suitable teachers, superintendents and other school personnel and submit any recommendations which will in its opinion be advantageous to the school.

On or before the fifteenth day of March of each year, each advisory board of trustees shall submit to the Board of Trustees of The School District of Oconee County a proposed budget for the operation of the schools for the next ensuing school year.

The advisory board of trustees shall perform such other duties as may be directed by the board of trustees.

SECTION 13. Meetings—compensation.—The board of trustees shall hold regular meetings at least once a month, and special meetings as often as necessary. The members of the board shall receive one hundred dollars per year and shall receive nine cents per mile for travel to and from the meetings.

SECTION 14. Funds to be credited to district.—All funds in the hands of the county treasurer, arising from tax levies on the property in the several districts heretofore existing, as well as such sums as he may hereafter receive from any such levy, shall be by him placed to the credit of The School District of Oconee County.

SECTION 15. Receipts and expenditures.—The School District of Oconee County shall be the unit for financing and receiving local, state and federal funds. The board of trustees shall be charged with the responsibility of the expenditure and accounting of the funds in the hands of the board.

SECTION 16 Deposits and withdrawals.—All school funds of the county shall be deposited in the office of the Treasurer of Oconee

County to the credit of the district, and withdrawn only upon warrants issued by the board of trustees.

SECTION 17. Repeal—Act 322 of 1953 repealed.—Act No. 322 of the Acts of 1953, as amended, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 18. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R560, H1794)

No. 384

An Act To Authorize The Cherokee County Library Board, With The Approval Of The County Legislative Delegation, To Enter Into Contracts And Agreements With Other County Library Boards Of The State And The South Carolina State Library Board For The Benefit And Improvement Of Library Service.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County Library may make contracts and agreements for improvement of library services.—The Cherokee County Library Board, with the approval of the County Legislative Delegation, is authorized to enter into contracts and agreements with other county library boards and with the South Carolina State Library Board, and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.

The library board may participate in Federal or any other funds available for distribution for the improvement of library service.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R566, H1638)

No. 385**An Act To Provide For Microphotographing Of Certain Records In Charleston County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charleston County records may be photographed.

—The Register of Mesne Conveyance, the Clerk of Court and any other office or officer in Charleston County required by law to maintain or to keep records and to record all instruments, papers and notices, the recording of which is required or permitted by law, may have photographed or microphotographed or filmed all or any part of the records kept or recorded by such officers.

SECTION 2. System—film.—A system of microphotography may be used by such county officers as a photographic reproduction process to record some or all instruments, papers, notices and proceedings that are required or permitted by law to be recorded or filed. All film used in the microphotography process shall comply with minimum standards of quality approved by the United States Bureau of Standards. A true copy of such film shall be placed in conveniently accessible files and provision made for preserving, examining and using the same and the officers shall make such necessary and proper arrangements to facilitate public inspection.

SECTION 3. Record books.—If the recorded instruments or the record books in the various offices of the county have been micro-filmed for preservation purposes, a type of record book may be used which will permit the removal of leaves in order that reproduction may be made in an efficient manner. In order to microfilm or otherwise reproduce the record books for preservation purposes, permanently bound record books may be disassembled which will permit the removal of leaves thereof in order that reproduction may be made in an efficient manner.

SECTION 4. Files or records may be microphotographed.—The Register of Mesne Conveyance, the Clerk of Court and other officers of the county may cause any or all files or records in their official custody to be microphotographed or otherwise reproduced on film as in the case of original filings or recordings or both. Every such reproduction shall be deemed and considered an original; and a transcript, exemplification or certified copy, as the case may be, of the original.

SECTION 5. Indexes.—The indexes now required by law to be maintained by the Register of Mesne Conveyance, the Clerk of Court and other offices shall continue to apply and be in force in Charleston County.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R567, H1689)

No. 386

An Act To Provide That Coastal Municipalities Shall Have Criminal Jurisdiction Over All Piers And Other Structures And Over The Waters Of The Ocean Within One-Half Mile Of Strand Within The Municipal Limits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Coastal municipalities to have criminal jurisdiction over certain waters.—All coastal municipalities shall have criminal jurisdiction over piers and other structures and the waters of the ocean within one-half mile of those portions of the strand within the municipal limits. The municipal limits of the municipality shall be extended in a straight line from the strand into the ocean from the point where the municipal limits of the municipality reach the high water mark of the strand.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R568, H1743)

No. 387

An Act To Provide For The Appointment Of A Spartanburg County Committee For Technical Training.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County Committee for Technical Training created—number—terms—organization.—There is hereby created the Spartanburg County Committee for Technical Training which shall be a body politic and corporate and which shall consist of nine members. The Governor shall appoint the following members to serve for terms as hereinafter indicated :

Messrs. Tracy J. Gaines, Harold Hanna, and John C. Anderson, for terms of four years each ; Messrs. Everette Clarkson, Ben Hammond, and A. Clayton Brown, for terms of three years each ; and Messrs. T. E. Peterson, Clelland Harris, and James P. Ledbetter, Jr., for terms of two years each ; after which their successors shall be appointed for regular terms of four years each, upon the recommendation of a majority of the Spartanburg County Board of Education in such manner that each of the seven school districts of the county shall have one member and School District No. 7 shall have two members with one member being appointed from the county at large. The Chairman of the Spartanburg County Planning and Development Board and the County Superintendent of Education shall be ex officio members. The committee shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter, the committee shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the Legislative Delegation and the Board of Education.

SECTION 2. Powers and duties.—The committee shall be responsible for the development and implementation of an adequate vocational and technical training program, which shall include, but not be limited to, the following : (1) a crash program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries ; (2) technical training programs primarily designed to train high school graduates as technicians for initial employment in industry ; and (3) provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills. The committee, in carrying out these programs, shall cooperate with all school districts and all County, State and Federal agencies designed to further technical education. The committee may purchase or lease such equipment, hire such personnel,

including a director and instructors, enter into such contracts, make such rules and regulations and may do such other things as may be necessary in order to carry out the provisions of this act, or to qualify to receive State or Federal aid under any present or future statute, policy or regulation. The committee shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.

SECTION 3. Receipts and expenditures—accept gifts.—The committee shall receive and administer the funds received by it from all sources and make its accounting to the Spartanburg County Board of Education annually in the same manner as school districts. The committee may receive gifts or grants of funds or property of any nature.

SECTION 4. Budget—tax levy.—The committee shall submit a budget to the Spartanburg County Board of Education on or before March first of each year. The County Board of Education shall recommend approval or disapproval of the budget to the Spartanburg County Legislative Delegation. If a majority of the legislative delegation shall approve the budget recommendation the Auditor of Spartanburg County shall levy and the Treasurer shall collect a tax sufficient to provide the necessary funds for the administration of this act upon all taxable property in Spartanburg County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R572, H1909)

No. 388

An Act To Provide An Additional Voting Place In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Additional voting precinct for Greenville County.
—In addition to the voting precincts in Greenville County listed in

Section 23-176, Code of Laws of South Carolina, 1952, as amended, there shall also be the following voting place: Ward 4, Box 5, at or near Star Lane Bowling Center.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R573, H1913)

No. 389

An Act To Amend Section 21-2351, Code Of Laws Of South Carolina, 1952, Relating To The Superintendent Of Education For Dillon County, So As To Provide That The County Board Of Education Shall Not Recommend One Of Its Members For Appointment As Superintendent Of Education.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-2351, 1952 Code, amended—no member of Dillon County Board of Education to be appointed as Superintendent of Education—Section 21-2351, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: "The County Board of Education shall not recommend one of its members for appointment as Superintendent of Education for Dillon County."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R574, H1910)

No. 390

An Act To Authorize That Certain Voting Precincts In Lancaster County May Remain Open Until 8 O'Clock, P. M., Under Certain Circumstances.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Time certain voting precincts in Lancaster County may remain open.—For any referendum, primary, general election or special election held in Lancaster County, any voting precinct may remain open as late as 8 o'clock, p.m., if, in the judgment of the executive committeeman of the precinct, it is necessary to permit qualified electors to vote who could not vote during the normal voting hours. *Provided*, that before any poll in any voting precinct shall remain open after the regular closing time, notice shall be given once a week for at least two weeks prior to the election that the polls shall remain open for an additional period of time, which time shall be stated in the notice.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R575, H1576)

No. 391

An Act To Amend Section 28-885, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Manner Of Fishing For Shad And Sturgeon Within The Three-Mile Limit Out To Sea From The Jetties Of Winyah Bay So As To Delete The Provisions Relating To Fishing For Sturgeon.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-885, 1952 Code, amended—unlawful to fish for shad in certain areas of Georgetown County.—Section 28-885, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-885. It shall be unlawful to fish at any time within the three-mile limit out to sea from the jetties of Winyah Bay with anchor nets, stake row nets and pound nets for shad."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R576, H1589)

No. 392

An Act To Amend Section 3-25, Code Of Laws Of South Carolina, 1952, Vesting The Annual Grant From The Hatch Bill Fund In The Board Of Trustees Of The Clemson Agricultural College, So As To Authorize The Trustees To Receive Grants Under The Latest Hatch Act, That Of 1955.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3-25, 1952 Code, amended—Clemson College may accept grants pursuant to Hatch Act.—Section 3-25, Code of Laws of South Carolina, 1952, is amended by striking out the section in its entirety and inserting in lieu thereof the following: “Section 3-25. The Board of Trustees of The Clemson Agricultural College of South Carolina may receive grants and use them for the benefit of the State in accordance with the terms and conditions expressed in The Hatch Act of 1955 dated August 11, 1955, and in accordance with such rules and regulations as may be prescribed by the Secretary of Agriculture under the authority delegated to him by Congress.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R578, H1722)

No. 393

An Act To Amend Act No. 238 Of The Acts And Joint Resolutions Of The General Assembly Of 1959 Which Provides For The Withholding Of A Portion Of The State Income Tax Allotted The Counties For Public Welfare For The Medical And Hospital Care Of Certain Persons, So As To Increase The Per Capita Al-

lotted From Thirty Cents Per Capita To Fifty Cents Per Capita And To Further Provide For The Necessary Medical Services For Certain Persons Sixty-Five Years Of Age Or Older.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 238 of 1959 amended—portion of income tax allocated to counties to be used for medical and hospital care for certain persons.—Section 1 of Act No. 238 of the Acts of 1959 is amended by striking it out in its entirety and inserting in lieu thereof the following which shall be Section 1 :

"Section 1. During the fiscal year 1961-1962, and every fiscal year thereafter, there shall be withheld by the State Treasurer from the portion of the annual State income tax which is allotted to the counties a sum equal to fifty cents per capita based on the population of the several counties as shown by the latest official decennial census of the United States. The money so withheld by the State Treasurer shall be placed to the credit of the State Department of Public Welfare and shall be used for the purpose of defraying the cost of medical and hospital care of persons qualified to receive public assistance under programs for the aid of the aged, the blind, dependent children, the disabled and those qualified for general assistance, and those persons sixty-five years of age or older who are not recipients of old age assistance but whose income and resources are insufficient to meet the costs of necessary medical services."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Prohibit The Use Of The Watercourse Above The Duke Power Company Wateree Dam In Kershaw County For A Distance Of One Hundred Feet, And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to use boat in water near certain dam.

—It shall be unlawful for anyone to enter in a boat or any other boating device within the watercourse above the Duke Power Company Wateree Dam in Kershaw County for a distance of one hundred feet. It shall not be unlawful for anyone to fish from the banks within one hundred feet from the dam of such watercourse, but it shall be unlawful to fish from any structure or abutment erected by Duke Power Company. The South Carolina Wildlife Resources Department shall place appropriate signs or markers on each side of the watercourse indicating the zoned area for boats. Nothing herein shall be construed to prohibit fishing in waters within one hundred feet of the dam from a boat which is further than one hundred feet from the dam.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be fined not less than twenty-five dollars nor more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R580, H1591)

No. 395

An Act To Ratify An Amendment To Article XVII Of The Constitution Of South Carolina, 1895, So As To Permit The General Assembly To Fill Any Vacancy Of State And Local Government In The Event Of Emergencies Resulting From Disasters Caused By Enemy Attack, And To Perform Such Duties As Are Necessary To Insure The Continuity Of Government Operations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Article XVII, State Constitution, ratified—Section 12 added—during certain emergencies General Assembly may fill vacancies and perform other necessary duties.—The amendment to Article XVII of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution

entitled "A Joint Resolution Proposing An Amendment To Article XVII Of The Constitution Of South Carolina, 1895, Relating to Miscellaneous Matters, So As To Permit The General Assembly To Fill Any Vacancy Of State And Local Government In The Event Of Emergencies Resulting From Disasters Caused By Enemy Attack, And To Perform Such Duties As Are Necessary To Insure The Continuity Of Government Operations." and appearing as a Joint Resolution and No. 886 of the Acts and Joint Resolutions of 1960, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added a new section to Article XVII, to be Section 12, as follows:

"Section 12. The General Assembly, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred, the General Assembly shall in all respects conform to the requirements of this Constitution, except to the extent that in the judgment of the General Assembly so to do would be impracticable or would admit of undue delay."

Ratified the 18th day of May, 1961.

(R581, H1757)

No. 396

An Act Creating The Beaufort County Library; Providing For Its Governing Body; And Defining The Terms Of Office, Powers And Duties Of The Members Of The Governing Body

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County Library created.—There is hereby created an eleemosynary corporation under the control of the State,

to be known as the Beaufort County Library, which shall have all the powers conferred upon such a corporation by this act and the other applicable laws of this State.

SECTION 2. To be managed by board of trustees—appointments

—terms—vacancies.—The corporation shall be controlled and managed by a board of trustees, seven in number, to be appointed by the Beaufort County Legislative Delegation and to serve without pay. The initial members of the board shall be appointed as follows: two from the membership of the Board of Beaufort Township Library; one from the membership of the Board of the Laura M. Towne Memorial Library; and four from the county at large. Subsequent appointments, except to fill unexpired terms of original appointees, shall be as follows: one from each township and two from the county at large. The original appointments shall be made as follows: two for terms of one year, two for terms of two years, and three for terms of three years, and until their successors are appointed and qualify. After the expiration of the initial terms, the trustees shall be appointed to serve for terms of three years and until their successors shall be appointed and qualify. Vacancies shall be filled by the appointing power for unexpired terms as they occur. Members of the board shall not serve consecutively for more than two terms, and shall be subject to removal for cause by the appointing power.

SECTION 3. Officers—bonding of—meetings.—The board shall

elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed necessary, and may make rules and regulations for the conduct of its business. The board may require of its chairman, its treasurer and the librarian a suitable bond for the faithful performance of their respective duties. Such bonds shall be paid for from the funds of the library account. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

SECTION 4. Employ librarian.—The board shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employees as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be so employed.

SECTION 5. Powers and duties.—The corporation may, by way of amplification and classification, but without limiting the generality of powers conferred on it by Section 1:

(1) purchase, lease, hold, and dispose of real estate and personal property;

(2) acquire books and other informational material and provide for their circulation throughout all sections of the county;

(3) accept donations of land, services, materials, books and other things for the establishment and equipping of libraries;

(4) enter into agreements for the suitable designation and markings of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals;

(5) cooperate or enter into contracts with any state or federal agency whereby it will receive substantial aid in carrying out the purposes of the library;

(6) enter into contracts with other counties to operate regional or joint libraries and facilities;

(7) generally do all things necessary and proper to establish, equip, maintain and operate a county library system; and

(8) cooperate with and assist any township or independent library board in Beaufort County.

SECTION 6. Further.—The board shall provide and make available to the citizens of Beaufort County good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board.

SECTION 7. Board members not to contract with board.—No member of the board shall contract with the board and any such attempted contract shall be void.

SECTION 8. Appropriations and expenditures.—Funds for the operation and maintenance of the county library shall be fixed by the annual county appropriations act. The funds appropriated shall be credited to the account of the Beaufort County Library, and approval of the chairman and the treasurer of the board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account. When so approved and countersigned by the chairman and treasurer of the board, such claim or voucher shall constitute a valid obligation against the funds credited to the library account.

SECTION 9. Reports.—The board shall annually, on or before the first of September of each year, make a report of its activities, showing

in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its services, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the County Board of Directors and copies shall be furnished each member of the county legislative delegation.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R582, H1768)

No. 397

An Act To Amend Section 14-2254, Code Of Laws Of South Carolina, 1952, Providing For A Clerk And Legal Advisor For The County Commissioners, So As To Further Provide For Their Salaries; To Amend Section 14-2255, Code Of Laws Of South Carolina, 1952, Authorizing The County Commissioners To Employ Physicians For The Poorhouse, Jail And Chain Gang Of The County, So As To Delete Therefrom The Reference To The Poorhouse And Amount To Be Spent For All Medical Services And Medicine; And To Amend Section 14-2259, Code Of Laws Of South Carolina, 1952, Providing Certain Penalties For County Commissioners Or Any Other Officer Of The County Who Violates The Provisions Of Certain Sections Of The Code, So As To Delete Therefrom References To Sections 14-2254 And 14-2255, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2254, 1952 Code, amended—Hampton County—clerk and legal advisor.—Section 14-2254, Code of Laws of South Carolina, 1952, is amended by striking out the section and inserting in lieu thereof the following:

“Section 14-2254. The board of county commissioners may appoint a clerk and a legal advisor for the board at such salaries as may be provided by law.”

SECTION 2. Section 14-2255, 1952 Code, amended—employ physicians for prisoners.—Section 14-2255, Code of Laws of South Carolina, 1952, is amended by striking out the section and inserting in lieu thereof the following:

“Section 14-2255. The county commissioners may employ such physicians as they may deem proper to do the medical practice for the inmates of the jail and the convicts on the chain gang of the county and shall use their discretion in paying for the same.”

SECTION 3. Section 14-2259, 1952 Code, amended—county officials—penalties.—Section 14-2259, Code of Laws of South Carolina, 1952, is amended by striking out the section and inserting in lieu thereof the following:

“Section 14-2259. Any county commissioner or other officer of the county who shall violate the provisions of Sections 14-2251, 14-2252 and 14-2256 to 14-2258 shall be guilty of a misdemeanor, shall be removed from his office by the Governor and, upon trial and conviction, shall be punished by a fine of not less than two hundred dollars or by imprisonment for not less than three months.”

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R585, H1789)

No. 398

An Act To Provide That The City Of Barnwell, In Barnwell County, May Clean Up Vacant Lots When The Owner, After Notice, Refuses To Do So, And Assess The Owner For The Expenses Incurred Which Shall Constitute A Lien Upon The Property Involved.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Barnwell may clean up vacant lots and assess owners.—The City of Barnwell, in Barnwell County, ten days after sending written notice to the owner of any vacant lot within the corporate limits of the city that the city has determined that the owner

shall clean up the vacant lot to insure the public health and safety, may clean up the vacant lot if the owner has not done so to the satisfaction of the city authorities and may assess the owner for the expenses incurred. The assessment shall constitute a lien upon the lot involved as in cases involving liens for taxes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R590, H1822)

No. 399

An Act To Set Salaries To Be Received By The Members Of The Darlington County Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Compensation of members of Darlington County Commission.—After June 1, 1961, each member of the Darlington County Commission shall receive as compensation the sum of one hundred dollars per month.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R591, H1846)

No. 400

An Act To Amend Item (b) Of Section 27-77, Code Of Laws Of South Carolina, 1952, Relating To Cherokee County Clerk Of Court Fees For Indexing Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (b) of Section 27-77, 1952 Code, amended—Cherokee County Clerk of Court fees.—Item (b) of Section 27-77, Code of Laws of South Carolina, 1952, is amended to read as follows :

“(b) for indexing and recording each chattel mortgage less than one hundred dollars, fifty cents; and, for indexing and recording each chattel mortgage more than one hundred dollars, seventy-five cents.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R593, H1852)

No. 401

An Act To Change The Terms Of Office Of The Town Officers Of The Town Of Goose Creek In Berkeley County From One To Two Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of town officials for Town of Goose Creek.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, the terms of the town officers of the Town of Goose Creek in Berkeley County shall be for two years each and until their successors are elected and qualify; *provided*, that the provisions of this act shall not apply to the current terms of office of such officers.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R594, H1853)

No. 402

An Act To Amend Act No. 885 Of The Acts Of 1958, Relating To The Requirement Of Permits For Building Construction Or Improvement Within The Hanahan Public Service District In Berkeley County, So As To Provide That Such Permits Shall

Be Issued By The Hanahan Public Service Commission Rather Than By The Magistrates Within The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 885 of 1958 amended—building permits required in Hanahan Public Service District.—Section 1 of Act No. 885 of the Acts of 1958 is amended by striking it out in its entirety and inserting in lieu thereof the following :

“Section 1. It shall be unlawful to erect, construct, improve or alter any building or part of a building in the Hanahan Public Service District in Berkeley County, without first having obtained from the Hanahan Public Service Commission a written permit for such erection, construction, improvement or alteration. The provisions of this section shall not be applicable when the cost of any construction, erection, alterations, repairs or improvements shall not exceed one hundred dollars nor to routine upkeep or repair of manufacturing or industrial plants.”

SECTION 2. Section 2 of Act 885 of 1958, amended—application for permit.—Section 2 of Act No. 885 of the Acts of 1958 is amended by striking it out in its entirety and inserting in lieu thereof the following :

“Section 2. In order to secure such written permit, application in writing shall be made to and filed with the commission. Such application shall contain the specifications and plans and the estimated cost of such erection, construction, improvement or alteration.”

SECTION 3. Section 3 of Act 885 of 1958 amended—issuance of permit.—Section 3 of Act No. 885 of the Acts of 1958 is amended by striking it out in its entirety and inserting in lieu thereof the following :

“Section 3. Upon the filing of any such application, the commission shall issue a permit in the following form :

“This permit is void twelve months from date of issue or without signature of the Chairman of the Hanahan Public Service Commission

County of Berkeley, South Carolina

Office of the Hanahan Public Service Commission

Building Permit No. _____

Date _____, 19____

Plans and specifications having been filed in this office by _____
_____ this permit is therefore issued

for the
repair
construction
installation
of a _____

described as follows: Location _____
School District No. _____: Name of owner of land _____
name of contractor _____ Material _____;
No. of stories _____; Character of roof _____;
cost \$ _____; Date of completion _____;
fee \$ _____ received

Chairman, Hanahan Public Service Commission' ”

SECTION 4. Section 5 of Act 885 of 1958, amended—copies of permits to be furnished board of assessment and auditor.—Section 5 of Act No. 885 of the Acts of 1958 is amended by striking it out in its entirety and inserting in lieu thereof the following:

“Section 5. Upon the issuance of any permit by the commission as provided for in this act, the commission shall deliver to the board of assessment for the county and also to the county auditor within five days copies of the permit so issued. Each applicant at the time of securing any permit shall pay to the commission an inspection and permit fee of fifty cents for each building covered in the permit. The commission shall retain such fees to cover the cost of issuing permits and any and all other expenses in connection with the enforcement of this act.”

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Amend Act 788 Of 1952, As Amended, Relating To Cooperative Credit Unions, So As To Provide That They

May Borrow From Savings And Loan Associations And Building And Loan Associations, And To Provide That Capital And Surplus Funds Of Credit Unions May Be Deposited In Savings And Loan Associations Or Building And Loan Associations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 788 of 1952 amended—activities cooperative credit unions may engage in.—Section 2 of Act 788 of 1952, as amended by an act of 1961 bearing ratification No. 232, is further amended by striking therefrom the words “savings banks” and inserting in lieu thereof the words “savings and loan associations, building and loan associations”, so that when amended the section shall read as follows:

“Section 2. A cooperative credit union may receive the savings of its members in payment for shares, may lend to its members at reasonable rates of interest, not to exceed one per cent per month on unpaid loan balances, or may invest, as hereinafter provided, the funds so accumulated, and make loans of same to its members, may borrow from banks, savings and loan associations, building and loan associations, trust companies, or other credit unions, or persons, and loan such money to its members, and may undertake such other activities relating to the purposes of the association as its bylaws may authorize.”

SECTION 2. Section 13 of Act 788 of 1952 amended—investments.—Section 13 of Act 788 of 1952, as amended by an act of 1961 bearing ratification No. 232, is further amended by striking therefrom the words “savings banks” and inserting in lieu thereof “savings and loan associations, or in building and loan associations”, so that when amended the section shall read as follows:

“Section 13. The capital and the surplus funds of the credit union shall be either lent to the members for such purposes, and upon such security and terms as the credit committee shall approve, or be deposited to the credit of the credit union in savings and loan associations, or in building and loan associations, or in trust companies, or in State banks incorporated under the laws of this State, or in national banks, or in other credit unions, or invested in any investment which is legal for banks in the State of South Carolina.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R602, H1807)

No. 404

An Act To Amend Section 3 Of Act No. 790 Of The Acts Of 1956 Relating To The Board Of Fire Control Of Sumter County So As To Authorize A Change In The Tax Levy Imposed To Pay Notes Previously Issued By The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 790 of 1956 amended—tax levy.—Section 3 of Act No. 790 of the Acts of 1956 is amended by adding at the end thereof the following proviso:

“Provided, that should the assessed value for the year 1961 of the taxable property within the county be increased or decreased, the auditor shall levy on all such property such a tax millage as shall be necessary to retire the notes authorized by this section.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R603, H1813)

No. 405

An Act To Create The Horry County Rescue Squad At Conway, The Myrtle Beach, The Loris, The Crescent Beach And The Garden City Rescue Squads In Horry County; And To Provide Penalties For Persons Interfering With The Duties Of The Squads.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Rescue squads created in Horry County.—There are hereby established the Horry County Rescue Squad at Conway,

the Myrtle Beach, the Loris, the Crescent Beach and the Garden City Rescue Squads in Horry County to consist of the present memberships of the squads as now constituted, the names of the members to be filed in the office of the Clerk of Court of Horry County.

SECTION 2. Officers—members—duties.—The squads shall have the authority to elect officers and directors who shall determine the requirements of membership and shall have the right to prescribe the duties and responsibilities of the squads not inconsistent with the provisions herein. The members of the rescue squads shall have the general responsibility and duty of carrying out rescue operations and assisting civil and military authorities in times of emergency.

SECTION 3. Members to direct traffic and enforce laws.—All members of the respective rescue squads in Horry County may direct and control traffic at the scene of any emergency in a rural area of the county and enforce such laws of this State as would prevent interference with members of the rescue squads in the discharge of their duties.

SECTION 4. Penalties.—It shall be unlawful to interfere with a member of the rescue squads in the discharge of his duties or to interfere with any of the equipment being used in conjunction with such duties. Any person violating the provisions of this act shall, upon conviction, be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Amend Sections 14-3301, 14-3302, As Amended, 14-3303, 14-3305, 14-3306, 14-3307, 14-3308, 14-3343, 14-3351 And 14-3353, Code Of Laws Of South Carolina, 1952; To Add To The Code Of Laws Of South Carolina, 1952, Sections 14-3304, 14-3314 Through 14-3320, 14-3344 Through 14-3344.11 And 14-3363,

Relating To The Governing Body, Salaries And Special Auditor For Spartanburg County, So As To Further Provide Therefor And To Provide A Uniform Purchasing Plan For Spartanburg County; And To Repeal Sections 14-3309, 14-3310 And 14-3321 Through 14-3327, Code Of Laws Of South Carolina, 1952 And Act No. 346 Of 1955, Relating To The Supervisor Of Spartanburg County And Purchases By The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-3301, 1952 Code, amended—Spartanburg County Board of Control—members—terms—vacancies.—Section 14-3301, Code of Laws of South Carolina, 1952, is amended by striking it out and inserting in lieu thereof the following :

“Section 14-3301. The government of Spartanburg County is vested in a board known as the Spartanburg County Board of Control, hereinafter referred to as the Board, which shall be composed of three members, whose terms shall be for four years and until their successors are appointed and qualify. They shall be appointed by the Governor, upon the recommendation of a majority of the members of the County Legislative Delegation. Any vacancy shall be filled in the same manner.”

SECTION 2. Section 14-3302, 1952 Code, amended—powers and duties of board.—Section 14-3302, Code of Laws of South Carolina, 1952, as amended, is further amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 14-3302. The Board shall have full and complete executive control of all the business and financial affairs of the county, with authority to employ such administrative and clerical employees as shall be proper for the efficient management, supervision and operation of the county's business and enterprises. The members of the Board shall function as and perform the duties required by the governing body of a county under the general laws of this State relating to counties and county officers generally. The Board shall review, investigate and recommend to the legislative delegation all items concerning the finances and requests for funds not included in the annual county appropriations act. It shall make a financial report on the operation of the county's business and financial operation at the end of each quarter.”

SECTION 3. Section 14-3303, 1952 Code, amended—organization—meetings—rules and regulations.—Section 14-3303, Code of

Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 14-3303. The Board shall effect its own organization; hold stated meetings at least twice a month, and called meetings when necessary. It shall make uniform rules and regulations governing its own office and the general offices and departments of the county government touching on any of their business and financial affairs. In order to be binding and effective, such rules and regulations shall be in writing and a certified copy shall be filed with the Clerk of Court of Common Pleas for Spartanburg County. Copies shall be distributed to each department head of Spartanburg County and each member of the county legislative delegation.”

SECTION 4. 1952 Code amended—Section 14-3304 added—county attorney.—The Code of Laws of South Carolina, 1952, is amended by adding a new section, to read as follows:

“Section 14-3304. The Board shall elect a county attorney who shall serve as legal adviser to the Board, the county supervisor and all county officials and shall act as attorney for the county in any suit instituted by or against the county, and perform such other duties as may be prescribed by the Board. The compensation of the county attorney shall be fixed by the county legislative delegation. His term of office shall be coexistent with the term of office of the members of the county legislative delegation.”

SECTION 5. Section 14-3305, 1952 Code, amended—board to make purchases for certain agencies.—Section 14-3305, Code of Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 14-3305. When any officer, agent or department of the county, not having its own governing board, desires to purchase any equipment, material, supplies or similar articles, a requisition for the same shall be filed with the Board, which shall purchase the same in accordance with uniform purchasing procedures as set out in Section 14-3344 through 14-3344.11. *Provided*, however, the county supervisor may purchase his supplies, pursuant to purchasing procedure established, without obtaining the prior approval of the Board when the cost of the same does not exceed three hundred dollars.”

SECTION 6. Section 14-3306, 1952 Code, amended—county officials and employees not to be interested in purchases.—Section

14-3306, Code of Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 14-3306. No member of the Board or other officer or employee of the county or person receiving a salary or compensation from funds appropriated by the county shall be interested, directly or indirectly, in any contract to which the county is a party, either as principal, surety, or otherwise. Nor shall any such officer or employee or his partner, agent, servant or employee or the firm of which he is a member purchase from or sell to the county any personal property, nor shall he be interested, directly or indirectly, in any work or service to be performed for the county or in its behalf. Any contract made in violation of any of these provisions shall be void."

SECTION 7. Section 14-3307, 1952 Code, amended—maintenance of public buildings.—Section 14-3307, Code of Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following:

"Section 14-3307. The Board shall be responsible for maintenance and upkeep of all public buildings, except those under the control of other boards and commissions."

SECTION 8. Section 14-3308, 1952 Code, amended—board to establish employment policies—Section 14-3308, Code of Laws of South Carolina, 1952, is amended by striking it out in its entirety and inserting in lieu thereof the following:

"Section 14-3308. The Board shall be responsible for establishing by written rules and regulations uniform employment policies with respect to personnel employed in departments not under a separate governing board or commission, or departments where services are required to be maintained seven days a week. A copy of the original rules and regulations and each subsequent amendment shall be furnished each employee. These rules and regulations shall not be inconsistent with the following:

(a) The employees of Spartanburg County, in departments where services are required to be maintained seven days a week, shall have one day off in every work week, and such days shall be designated by the respective heads of such departments. In departments where services are not required to be maintained seven days a week, the offices shall remain open from 9 A.M. until 5 P.M. from Monday through Friday, and from 9 A.M. until 12 P.M. on Saturday.

(b) After any employee has been in service for one year he shall be allowed two weeks' vacation in each year with pay. The vacation period for each employee shall be fixed by the Board after consultation with and advice from the head of the department in which the employee works. If it should appear to the Board or the head of any department in which any employee works that the public service will suffer at any particular time by reason of the allowance of any vacation herein provided for, either shall have the right to transfer to some other period. *Provided*, the provisions of this act shall not be effective if its enforcement requires additional personnel and the expenditure of additional public funds.

(c) The Board may, at its discretion, provide for or terminate any of the following:

(1) Additional payments or wages for time worked in excess of forty-four hours if approval of the Board is first obtained in writing.

(2) The deduction from the employee's pay on the basis of hourly pay rate for time taken off other than paid holidays or approved sick leave. Unless deduction on hourly basis is provided for, leaving his usual place of work in excess of thirty minutes during working hours other than in the course of performing duties shall be charged as at least one-half day of employee's vacation.

(3) Additional time off without pay when a request therefor has been submitted in writing and approved by the head of the department.

(4) Authority of the heads of the various departments or offices to grant not more than five days' absence in any one calendar year for personal illness of an employee. Sick leave may be accumulated not to exceed fifteen days."

SECTION 9. 1952 Code amended—Section 14-3314 added—office of county supervisor created for Spartanburg County.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows:

"Section 14-3314. There is hereby created the office of County Supervisor for Spartanburg County who shall be elected by the qualified electors of the county for a four-year term, which term of office shall commence on the first day of January next ensuing after his election."

SECTION 10. 1952 Code amended—Section 14-3315 added—bond of supervisor.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows:

“Section 14-3315. The County Supervisor for Spartanburg County shall enter into bond in the sum of five thousand dollars, conditioned upon the faithful performance of his duties and the surety on said bond shall be some surety company licensed to do business in this State.”

SECTION 11. 1952 Code amended—Section 14-3316 added—duties of supervisor.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows:

“Section 14-3316. The County Supervisor of Spartanburg County shall maintain all county highways and bridges and to this end he may employ servants, agents and skilled persons to serve in the construction, maintenance, and repair of such highways and bridges. He may designate the county roads to be surface-treated or made all-weather highways.”

SECTION 12. 1952 Code amended—Section 14-3317 added—supervisor—reports and budget.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows: “Section 14-3317. The County Supervisor shall make regular monthly reports to the Board and to the county legislative delegation in regards to matters of administration and keep the Board and the delegation fully advised as to the financial condition of his department. He shall prepare and submit an annual budget for the information of the county legislative delegation and the Board.”

SECTION 13. 1952 Code amended—Section 14-3318 added—supervisor to control chain gang.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows: “Section 14-3318. The county supervisor shall have the control and management of all chain gangs of the county.”

SECTION 14. 1952 Code amended—Section 14-3319 added—supervisor may construct roads in municipalities.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows:

“Section 14-3319. The Supervisor of Spartanburg County may construct and maintain roads not in the county road system, located within the limits of cities and incorporated towns in the county, which, in the judgment of the supervisor, may be for the best interest of the citizens of the county as a whole, provided the cities and incorporated towns concerned furnish all necessary materials and the work for the cities and incorporated towns does not interfere

with the construction, repairing and maintenance of county rural and farm-to-market roads.”

SECTION 14 A. 1952 Code amended—Section 14-3320 added—supervisor—maps—report on roads.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows: “Section 14-3320. The supervisor shall maintain a map or maps showing the county system and shall report to the Board and the legislative delegation the length by miles of paved and unpaved roads in the county highway system, on the first of February of each year.”

SECTION 15. Section 14-3343, 1952 Code, amended—treasurer to file quarterly reports.—Section 14-3343, Code of Laws of South Carolina, 1952, is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 14-3343. The county treasurer shall file with the Board and the legislative delegation, at the end of each quarter, a statement showing the amount of moneys on hand to the credit of the county and to what department or branch of the county funds such moneys properly belong.”

SECTION 16. 1952 Code amended—Sections 14-3344 through 14-3344.11 added—uniform purchasing plan for Spartanburg County.—The Code of Laws of South Carolina, 1952, is amended by adding the following new sections, to read as follows:

“Section 14-3344. All officers, departments, institutions, agencies or associations to or for which appropriations exceeding three thousand dollars are made in the annual Spartanburg County Appropriations Act shall, upon and in accordance with the request of the Spartanburg County Board of Control or the legislative delegation, file with the clerk of the Board an inventory of any or all types or classes of personal property on hand as of the date designated in such request; *provided*, however, such request shall not be made oftener than quarterly.

“Section 14-3344.1. All purchasing officers, departments, institutions, agencies and associations, as referred to in Section 14-3344, shall annually, on or before March fifteenth of each year, compile estimates of all non-exempted supplies, materials and equipment required by it for the next succeeding fiscal year. Purchases will be made pursuant to the plan or plans herein prescribed in as large quantities as practicable consistent with the nature of the article

and the money and storage space available; if a quantity purchase be impracticable, effort shall be made to establish price agreement contracts therefor according to the purchase plan or plans herein prescribed which are adaptable to the situation.

"Section 14-3344.2. All officers, departments, institutions, agencies and associations referred to in Section 14-3344 shall reduce to a minimum the number of kinds, sizes, and varieties of commodities purchased for their respective uses, this to be accomplished by fixing and adopting, for all commodities, requirements and specifications with a view to serving satisfactorily the purpose contemplated, yet securing the widest practicable measure of competition consistent with those purposes. In examining, preparing and revising specifications for adoption, the purchasing officer, department, institution, agency or association shall, whenever necessary and possible, procure the assistance, advice and cooperation of any qualified representative or technician of any county, State or Federal agency, institution or laboratory, and, if considered advisable, may employ the services of private or commercial scientists or technicians, to be paid for by the using officer or agency.

"Section 14-3344.3. Two or more purchasing officers, departments, institutions, agencies or associations or subdivisions of the county may join together and combine their purchasing power under such terms and conditions to which they mutually agree in writing, but the purchase or purchases shall be made in a manner consistent with the provisions of this Article.

"Section 14-3344.4. All supplies, materials and equipment purchased directly or through purchase contracts by any county officer, department, institution or association, as referred to in Section 14-3344, shall conform to requirements previously fixed by the purchasing officer, department, institution or association with a view, first, to serving satisfactorily the purpose in contemplation and, second, to securing the widest practicable measure of competition consistent with that purpose. The procedure in making purchases or purchase contracts shall be adapted to the circumstances in each case, but in general one or a combination of the following plans shall govern:

(a) Wherever the supplies, materials, or items of equipment proposed to be purchased have an estimated cost of not more than five hundred dollars and the same are of standard quality and can be described so that all bidders will base their proposals on furnishing articles of identical quality, descriptive notices inviting bids shall be

distributed by mail among parties known to be interested. If the estimated cost of the supplies, materials, or items of equipment exceeds five hundred dollars, advertisement of the notice shall be published, under appropriate heading, in at least one daily newspaper of the State for a period of three days. Award, if made, shall be made in each case to the lowest responsible bidder whose bid shall have been made as required, taking into consideration the quality of the articles to be supplied, their conformity with the prescribed requirements and the purpose for which they are required; *provided*, that in case no bids are received or the bids received indicate the existence of a combine, an understanding or agreement among the bidders for the purpose of fixing the price of the commodity proposed to be purchased, then the purchasing officer, department, institution, agency or association may, after rejecting all bids, proceed to negotiate purchase contracts with individual firms so as to gain any available advantage either in price or purchase conditions and to that end may consummate purchase contracts with domestic or foreign persons, firms or corporations.

(b) Wherever the supplies, materials or items of equipment proposed to be purchased are not susceptible of standardization, then the purchasing officer, department, institution, agency or association, with the approval of the governing board or commission, shall establish an eligible list of bidders or articles with the view of gaining as wide competition as practicable. Under this plan bidding shall be restricted to the eligible list of bidders or articles. Advertising and award shall be as required in subsection (a) of this section. County officers not directly under a governing board or commission shall establish the list of bidders or articles as aforesaid upon approval by the Spartanburg County Board of Control.

(c) In purchasing supplies, materials or items of equipment that are controlled by virtue of patent or copyright rights so that competition is impracticable, or where the articles proposed to be purchased are produced and offered for sale by fewer than three reputable firms eligible to offer their products in direct competition and where it is impracticable to substitute other supplies, materials or items of equipment proposed to be purchased, informal purchase negotiations may be undertaken by the purchasing officer, department, institution, agency or association and purchase awards may be made as a result of such negotiations; *provided*, that if the purchase or purchase contract involves more than five hundred dollars, the award

must be approved by the Spartanburg County Board of Control, or the board or commission governing the department, institution, agency or association making the purchase, and shall be accompanied by a statement describing in detail the procedure followed and; *provided*, further, that any purchase contracts made under this plan, which are estimated to involve more than five hundred dollars, shall be awarded only after advertising the intention to award in at least one issue of a newspaper of general circulation in Spartanburg County.

(d) Supplies, materials and items of equipment necessarily purchased in order to replace parts of existing equipment and structures, which can be supplied only by the manufacturer of the original articles to be repaired, or by his authorized dealer or agent, may be purchased without formality; *provided*, that the purchasing officer, department, institution, agency or association shall take advantage of every opportunity to economize by securing the best agreements practicable. In such cases complete records of the transactions shall be maintained for review by the Special Auditor for Spartanburg County.

(e) In cases of emergency, as may be determined by the chairman of the board or commission which governs the purchasing department, institution, agency or association, and subject to confirmation by such board or commission, supplies, materials and equipment may be purchased without formalities. Necessity of emergency purchases by county officers not directly under a governing board or commission shall be determined by the chairman of the Spartanburg County Board of Control and subject to confirmation by said board. All cases of purchases of this kind shall be reported in detail to the clerk of the Spartanburg County Board of Control and the Spartanburg County Legislative Delegation.

“Section 14-3344.5. Supplies, materials and equipment listed below are exempted from the purchasing procedures herein prescribed. Whenever possible, these purchases must be made pursuant to competitive bidding and always with a view to securing every practicable advantage to the county. Detailed records of all purchases of ‘exempted’ commodities shall be kept by each officer, department, institution, agency or association and made available for review by the Special Auditor for Spartanburg County. The supplies, materials and equipment are:

(a) Perishable articles such as fresh meats, fish, vegetables, milk and eggs.

(b) Medical, dental and optical supplies, instruments and prescription items. Insofar as practicable, drugs and medicines will be purchased on a competitive basis by generic name.

(c) Technical instruments, supplies, books and other printed matter on technical subjects; also library books, pamphlets, maps, periodicals; also textbooks.

(d) Any supplies, materials and equipment costing less than twenty-five dollars; *provided*, that the purchasing officer or head of department, institution, agency or association has only an occasional need therefor so as to render it impracticable to buy in quantity or under price agreement contract.

"Section 14-3344.6. With respect to purchases or purchase contracts covered by this Article which involve less than three hundred dollars, bids need not be sealed and may be in the form of price quotations and received informally. As to purchases covered by this Article which involve over three hundred dollars, such bids shall be sealed and opened publicly at the place and time designated in the notice of bid. No bids or price quotations shall be received after the time designated, and the same shall be promptly tabulated. Failure to award to the low bidder shall be explained in detail in writing and made a part of the record of the purchase. All bids, tabulations and other information shall be filed with each notice of bid and be retained for at least two years and available for public inspection at reasonable times.

"Section 14-3344.7. It shall be the responsibility of every officer, department, institution, agency, or association as referred to in Section 14-3344 that takes delivery of any commodity, to inspect each delivery for conformity with all requirements set forth in the purchase, and when deemed advisable or when so directed by the governing board or commission, or the Spartanburg County Board of Control to have chemical or physical tests made by any State or commercial laboratory capable of making the required tests. The cost of such testing shall be borne by the using officer, department, institution, agency or association.

"Section 14-3344.8. All county officers, departments, institutions, agencies and associations, as referred to in Section 14-3344, shall, when offering surplus or obsolete property for sale, advertise same for two days in a newspaper of the county of daily circulation, and shall further mail descriptive notices to all known interested parties inviting bids thereon. Every effort shall be made to secure as wide

competition as possible, and awards of sale, if made, shall be made to the highest bidder. All bids shall be promptly tabulated and records of the sales hereunder shall be maintained for inspection by the Special Auditor for Spartanburg County. The proceeds of such sales shall be turned over to the General Fund of Spartanburg County.

“Section 14-3344.9. Whenever deemed to the economic advantage of the purchasing officer, department, institution, agency or association, and with the approval of the governing board or commission, or the Spartanburg County Board of Control, supplies, vehicles or equipment may be offered for a trade-in allowance on other supplies, vehicles or equipment being purchased. In such cases, any bid notices or invitations distributed or advertised under Sections 14-3344.4 and 14-3344.5 shall clearly describe the supplies, vehicles or equipment being offered for trade-in allowance, and ask for alternative bids, both with and without a credit for such allowance.

“Section 14-3344.10. Notwithstanding any other provisions of this Article, it shall not apply to school districts, but shall apply to the Spartanburg County Farmers' Market. In the event any officer, department, institution, agency or association referred to in this Article is subjected, either voluntarily or involuntarily, to State or Federal Statutes, rules or regulations which conflict with the provisions of this Article, then the State or Federal statutes, rules or regulations shall control to the extent of the conflict. This Article shall not prohibit purchasing under the provisions of Act No. 314, of the Acts of 1953, as amended.

“Section 14-3344.11. Purchases or purchase contracts made contrary to the provisions of this Article shall be void. The Special Auditor for Spartanburg County and all auditors or accountants employed by the county or its officers, institutions, departments, agencies or associations, as referred to in Section 14-3344, shall promptly report to the Spartanburg County Board of Control, and the Spartanburg County Legislative Delegation, any and all violations of the provisions of this Article as may be discovered by them in the course of their audits. Further, the Spartanburg County Board of Control shall promptly report such violations to the legislative delegation, as and when they may be discovered, in processing and filing claims for payment.”

SECTION 17. Section 14-3351, 1952 Code, amended—compensation of county officials to be in lieu of fees.—Section 14-3351, Code

of Laws of South Carolina, 1952, is amended by adding at the end of line 3 the following: "special tax collector," so that, when so amended, the section shall read as follows:

"Section 14-3351. In lieu of all costs, fees, charges or other emoluments whatsoever the county auditor, county treasurer, county superintendent of education, clerk of court, sheriff, probate judge, master, register of mesne conveyances, county supervisor, special tax collector, and county probation officer and all county magistrates shall each be paid in full compensation for all work and services rendered in their official capacities such salaries or compensation as may be prescribed by the General Assembly of this State from time to time and for which annual appropriations shall be made and such allowance for clerical help or other assistants as may be provided by law, such allowances likewise to be annually provided for by the General Assembly."

SECTION 18. Section 14-3353, 1952 Code, amended—certain fees and costs to be paid in advance.—Section 14-3353, Code of Laws of South Carolina, 1952, is amended by adding after the words "fees and costs paid" at the end of line 3 of the second paragraph the words "or words of similar import" so that, when so amended, the section shall read as follows:

"Section 14-3353. The sheriff and all magistrates of the county are required in all civil cases to charge and collect in advance fees, costs or charges which may become due their respective offices for all services which they are called upon to render in civil cases. But the clerk of court is not required to collect costs in advance.

All costs and fees required by law to be paid for serving papers and documents in all cases, shall be paid in advance to the county treasurer who shall endorse by stamp on all papers or documents the words 'fees and costs paid' or words of similar import with the date thereof and no paper or document shall be served by any county officer charged therewith unless such endorsement appears thereon."

SECTION 19. 1952 Code amended—Section 14-3363 added—special auditor to report certain violations.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to read as follows:

"Section 14-3363. The Special Auditor shall report in writing any statutory violation that he may discover in the course of his audits

to the legislative delegation and the Spartanburg County Board of Control.”

SECTION 20. Repeal—Sections 14-3309, 14-3310, 14-3321, through 14-3327, 1952 Code and Act 346 of 1955 repealed.—Sections 14-3309, 14-3310, 14-3321 through 14-3327, Code of Laws of South Carolina, 1952, Act No. 346 of the Acts of 1955, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R609, H1963)

No. 407

An Act To Authorize The Town Of Liberty, In Pickens County, To Contract To Furnish Electric Current, Water Or Sewage Service To Any Person Within Or Without The Town For A Period Not To Exceed Fifty Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Liberty may furnish electricity, water or sewage services.—The Town of Liberty, in Pickens County, may, through its proper officials, enter into a contract with any person, within or without its corporate limits, to furnish such person electric current, water, or sewage disposal facilities, upon such terms, rates, and charges as may be fixed by contract between the parties, when in the judgment of its officials it is best for the interests of the municipality to do so. No such contract shall be for a longer period than fifty years, but any such contract may be renewed from time to time for periods not exceeding fifty years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R611, H1808)

No. 408

An Act To Authorize The Spartanburg County Library Board, With The Approval Of The County Legislative Delegation, To Enter Into Contracts And Agreements With Other County Library Boards Of The State And The South Carolina State Library Board For The Benefit And Improvement Of Library Service.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County Library may make contracts and agreements for improvement of library services.—The Spartanburg County Library Board, with the approval of the County Legislative Delegation, is authorized to enter into contracts and agreements with other county library boards and with the South Carolina State Library Board, and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.

The library board may participate in Federal or any other funds available for distribution for the improvement of library service.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R612, H1814)

No. 409

An Act To Amend Act No. 330 Of The Acts Of 1957, Relating To The Compensation Of The Judge Of The Civil Court Of Florence, So As To Increase The Compensation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 330 of 1957 amended—salary for judge of Civil Court of Florence.—Section 1 of Act No. 330 of the Acts of 1957 is amended by striking on line 4 the words “eight

thousand” and inserting in lieu thereof the words “eleven thousand” so that, when so amended, the section shall read as follows:

“Section 1. Notwithstanding the provisions of Act No. 874 of the Acts of 1952 the Judge of the Civil Court of Florence shall receive as compensation the sum of eleven thousand dollars per annum, to be paid in monthly installments by the county treasurer upon the warrant of the board of county commissioners.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R613, H1837)

No. 410

An Act To Amend Section 47-407, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Imposition Of A Business Or Professional License In Municipalities Of A Certain Class, So As To Raise The Population Classification From Sixty-Five Thousand To Seventy Thousand.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 47-407, 1952 Code, amended—license fee in cities of over seventy thousand.—Section 47-407, Code of Laws of South Carolina, 1952, as amended, is further amended by striking on line 1 the following: “sixty-five thousand inhabitants” and inserting in lieu thereof the following: “seventy thousand inhabitants, according to the latest official U. S. Census,” so that the section when amended shall read as follows:

“Section 47-407. Cities of over seventy thousand inhabitants, according to the latest official U. S. Census, may require the payment of such sum of money, not exceeding twenty-five hundred dollars, for a license as in their judgment may be just and wise by any person or corporation engaged, or intending to engage, in any calling, business or profession, in whole or in part, within the limits of such cities, except those engaged in the calling or profession of teachers and ministers of the gospel. But whenever the amount of the license shall exceed one thousand dollars the concurrence of two-thirds of

the whole council and the mayor shall be necessary in the passage of any ordinance requiring such license.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R614, H1850)

No. 411

An Act To Authorize The Clerk Of Court Of Allendale County To Remove Or Destroy Certain Chattel Mortgages.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Allendale County Clerk of Court may destroy old chattel mortgages.—The Clerk of Court of Allendale County is authorized and directed to remove from the active shelves of his office, and store or destroy all chattel mortgage records ten years of age or over.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R617, H1860)

No. 412

An Act Providing For The Terms Of Office Of The Mayor And Town Councilmen Of The Town Of Blenheim In Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for Town of Blenheim.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, in the Town of Blenheim, in Marlboro County, the Mayor and Councilmen shall be elected every

four years and their terms of office shall be for four years, and until their successors have been elected and qualify.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R618, H1861)

No. 413

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2209, Providing For The Fees Of The Clerk Of Court And The Judge Of Probate Of Greenwood County For The Typing And Recording Of Certain Documents.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 14-2209 added—Greenwood County—fees for clerk of court and probate judge.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2209 which shall read as follows:

“Section 14-2209. The Clerk of Court and the Judge of Probate of Greenwood County may make a charge of fifteen cents per hundred words for the recording of all documents required to be typewritten, which are actually typed in the respective offices and for which there is no regular form.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R619, H1863)

No. 414

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated Section 14-2224, Designating The Clerk Of The Finance Board Of Greenwood County As Purchasing Agent For The County And To Amend Section 14-2241, Code Of Laws Of South Carolina, 1952, As Enacted By Act No. 849 Of The Acts Of 1960, Providing For Purchasing By Greenwood County, So As To Make Further Provision Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 1952 Code amended—Section 14-2224 added—clerk of Finance Board to be county purchasing agent.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section which shall be designated as Section 14-2224 to read as follows:

“Section 14-2224. All materials, supplies or equipment shall be purchased for all departments of Greenwood County by the Clerk of the Finance Board of Greenwood County, who, in addition to his other duties, shall serve as county purchasing agent. Such materials, supplies and equipment shall be requisitioned by each department in writing, by the use of a form to be prescribed by the clerk, at least thirty days in advance of their requirements, except in cases of emergency. No purchase shall be made until the requisition therefor has been approved by the clerk. *Provided*, this section shall not apply to purchases made under automobile expense and travel accounts provided in the county's annual appropriations act.”

SECTION 2. Section 14-2241, 1952 Code, amended—purchasing by Greenwood County—bids—exceptions.—Section 14-2241, Code of Laws of South Carolina, 1952, as enacted by Act No. 849 of the Acts of 1960, is amended by striking it out in its entirety and inserting in lieu thereof the following:

“Section 14-2241. The Greenwood County Purchasing Agent shall advertise for public bids for each purchase of supplies, machinery, equipment, vehicles or materials in excess of three hundred dollars. The advertisement shall be published in a newspaper of general circulation in the county ten days prior to the date set for receipt of bids. Bids, which may be sealed, shall be opened publicly at a specified time at a meeting of the county finance board, and the purchase of

such items shall be awarded to the lowest bidder on items of identical quality, but nothing herein shall be construed as preventing the board from directing a purchase from other than the lowest bidder in instances where the board deems it advisable to buy an item of higher quality than that offered by the lowest bidder. The board shall similarly have the right to reject all bids in its discretion. The minutes of each such meeting of the board shall be taken and preserved, recording all bids received and the amounts of the same and the action of the board in awarding the purchase. Each member of the county legislative delegation shall be notified by letter of the time and place of each such meeting for the purpose of opening bids. No purchase of such items shall be a valid and binding obligation of the county unless they are purchased on competitive bids as provided herein. *Provided*, that when purchases of any supplies, machinery, equipment or materials are to be made from or in cooperation with the South Carolina State Highway Department, or any other State or Federal governmental agency or department, or in accord with a bid price previously secured by the Highway Department or the Purchasing Division of the State Budget and Control Board, the county purchasing agent may make the same without asking and advertising for bids as herein provided. *Provided*, further, that in cases of emergency, purchases for repairs (to machinery, vehicles and equipment) may be made without asking for and advertising for bids as herein provided, such purchases to be made with the prior approval of the finance board, and in every such instance the purchasing agent shall certify on claim for the articles thus purchased the reasons therefor.

Suppliers desiring to be notified of each advertisement for bids for certain items may register their desire with the county purchasing agent, indicating the particular items on which they will be interested in bidding, and thereafter the purchasing agent shall notify each such supplier of a request for bids for such items, supply specifications, etc.; *provided*, however, that this shall constitute a courtesy service only and shall not eliminate the requirement of general advertisement of requests for bids as herein provided, nor shall any liability be created against Greenwood County by reason of the failure of the purchasing agent to notify any such supplier having registered his request for notification.

The county purchasing agent may make purchases for the county without asking and advertising for bids when the cost thereof does

not exceed three hundred dollars, *provided*, that no purchases shall be divided for the purpose of circumventing this act; *provided*, further, that in making purchases of under three hundred dollars, the purchasing agent shall endeavor to secure the most economical price for goods of the desired quality, and when feasible or when there exist several suppliers of the desired goods, shall secure informal bid quotations for his guidance."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R620, H1864)

No. 415

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2207, So As To Limit The Use Made Of Equipment And Labor Owned By Or Under The Control Of Greenwood County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 14-2207 added—use of equipment and labor.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2207 which shall read as follows:

"Section 14-2207. The equipment owned by Greenwood County, the chain gang labor and labor of county employees shall not be used except on the public works and for the public purposes of the county; *provided*, however, that the Finance Board of Greenwood County may permit the use of such equipment and labor in aid of eleemosynary institutions serving the people of the county on such terms as the board may deem proper. The county supervisor shall quarterly report in writing to the board the use of such equipment and labor by eleemosynary institutions."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R621, H1866)

No. 416

An Act To Amend The Code Of Laws Of South Carolina, 1952, By Adding A New Section To Be Designated As Section 14-2210, So As To Provide That All Regular Meetings Of Boards And Commissions Of Greenwood County, With Certain Exceptions, Shall Be Publicized And Open To The Public.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. 1952 Code amended—Section 14-2210 added—meetings of boards and commissions to be open—exceptions.—The Code of Laws of South Carolina, 1952, is amended by adding thereto a new section to be designated as Section 14-2210 which shall read as follows :

“Section 14-2210. The regular meetings of all boards and commissions of Greenwood County shall be open to the public, and the time and place of such meetings shall be publicized by giving notice thereof to the news department of a newspaper of general circulation in the county. However, the right is reserved to all boards and commissions to exclude the public on such occasions as, in the opinion of the board or commission concerned, may require secrecy.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R626, H1889)

No. 417

An Act To Repeal Article 5, Chapter 11, Title 55, Code Of Laws Of South Carolina, 1952, Establishing A County Detention Home For Children In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 11, Title 55, 1952 Code, repealed.—Article 5, Chapter 11, Title 55, Code of Laws of South Carolina, 1952, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R627, H1890)

No. 418

An Act To Provide That Only Six Men Need Be Summoned For Each Coroner's Jury In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County—number to be summoned for coroner's jury.—Notwithstanding the provisions of Section 17-101, Code of Laws of South Carolina, 1952, only six men need be summoned for each coroner's jury in Spartanburg County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R630, H1884)

No. 419

An Act To Authorize The Clerk Of Court Of Sumter County To Destroy Chattel Mortgages Which Are Over Six Years Old.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sumter County Clerk of Court may destroy old chattel mortgages.—Any chattel mortgage which is over six years old may be destroyed by the Clerk of Court of Sumter County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R632, H1906)

No. 420

An Act To Amend Act No. 244 Of The Acts And Joint Resolutions Of 1959, Abolishing The Board Of Education Of Saluda County, Devolving Its Duties Upon A Board Of Trustees, Dividing The County Into Voting Areas, And Providing For Advisory Elections, So As To Extend The Terms Of Office Of The Trustees So That They May Be Elected In The Primaries Instead Of Holding Special Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 244 of 1959 amended—terms of trustees extended.—Act No. 244 of 1959 is amended by extending the terms of office of those members of the board of trustees whose terms of office expire June 30, 1961, to June 30, 1962; and by extending the terms of office of those trustees whose terms of office expire June 30, 1963, to June 30, 1964.

SECTION 2. Section 3 of Act 244 of 1959 amended—compensation—expenses.—Act No. 244 of 1959 is further amended by striking out the words “from the contingent fund” in Section 3 of the act, and inserting in lieu thereof the words “from the county board fund,” and by striking out the words “by the county legislative delegation,” so that when so amended Section 3 shall read as follows :

“Section 3. The board shall be allowed ten dollars for each meeting. *Provided*, however, that members shall not be paid for more than five meetings during any fiscal year. All expenses of such meetings shall be paid from the county board fund of the county upon vouchers approved and signed by the chairman.”

SECTION 3. Trustees to be elected in primaries—conduct of election—entrance fee.—After the effective date of this act, in lieu of special elections in which members of the board of trustees are elected, such trustees, including those provided for in Section 5 of Act No. 244 of 1959, shall be elected in the primaries of Saluda County immediately preceding the expiration of their terms of office. For the purpose of

electing the members of the board of trustees all precincts of Saluda County shall be used; however, only those electors qualified to vote for trustees shall be furnished with trustee voting ballots for their particular voting area. The trustees elected in each primary shall take office upon July first immediately following their election. The officials of the primary shall count the ballots for trustees and announce the results. Candidates desiring to offer for the office of trustee shall be required to qualify under the same terms and conditions as other candidates in the primary. Such entrance fee as may be required shall be announced in a newspaper having general circulation in the county at least thirty days prior to qualification date.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R636, H1897)

No. 421

An Act To Require The Filing With The Auditor Of Spartanburg County A Building Permit Before Any Person Constructs Or Makes Additions To Certain Buildings, And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Building permits required in Spartanburg County.—Before any person constructs any new building or any addition to an existing building in Spartanburg County, which construction shall cost one thousand dollars or more, shall obtain from the auditor of the county, any magistrate or other persons or firms designated by the auditor, a building permit which shall be executed before any construction shall be commenced. No charge shall be made for such building permits.

SECTION 2. Form.—The permits required by Section 1 of this act shall be in such form or forms as may be prescribed by the county auditor.

SECTION 3. Penalties.—Any person violating Section 1 of this act shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding one hundred dollars.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect July 1, 1961.

Approved the 23rd day of May, 1961.

(R637, H1900)

No. 422

An Act To Repeal Sections 33-1261, 33-1262, 33-1871 Through 33-1874, 55-462 And 71-309, Code Of Laws Of South Carolina, 1952, Relating To Elections For Township Tax For Roads, Levy And Collection Of Such Tax, The Disbursement Of The Proceeds, The Supervisor's Authority Over Highways And Roads, The Number Of Chain Gang Camps, And The Operation And Use Of The Home And County Farm, Respectively, All In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sections 33-1261, 33-1262, 33-1871 through 33-1874, 55-462 and 71-309, 1952 Code, repealed.—Sections 33-1261, 33-1262, 33-1871 through 33-1874, 55-462 and 71-309, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R638, H1914)

No. 423

An Act To Provide That Certain Property May Be Added To A Water And Sewer District In Spartanburg County Upon Petition By The Property Owner And Approval By The Commission Of The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—certain property may be added to water and sewer districts.—The property of any person in Spartanburg County which adjoins any water and sewer district may be added to the water and sewer district upon the written petition of the property owner and the approval of the petition by the commission of the district.

Provided, the property owner shall furnish the District an adequate description (by metes and bounds or by a plat) of the area to be added, and the District shall annually, during the month of January, bring the District's plat up to date, showing the area added during the previous year by filing an amended plat with the Auditor and in the R. M. C. Office.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R642, H1948)

No. 424

An Act To Amend Act No. 782 Of The Acts Of 1956, As Amended, Relating To The Educational System For Marlboro County, So As To Change The Mode Of Appointment Of The Members Of The Marlboro Board Of Education And The Boards Of Trustees Of The Administrative School Areas In Marlboro County And To Abolish The Present Boards Of Trustees Of The Administrative School Areas In Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 782 of 1956 amended—appointments and vacancies.—Section 2 of Act 782 of the 1956 Acts of the General Assembly is hereby amended by striking out Section 2 and inserting in lieu thereof the following :

“Section 2. Upon the expiration of the terms of office of each of the members of the Marlboro Board of Education, such shall be filled by appointment of a qualified person to such office for the regular term

thereof by the Governor, upon the recommendation of a majority of the trustees of the administrative area represented by the person whose term has expired. In case of any vacancy in such office by death, resignation or disqualification, the vacancy shall be filled by appointment of a qualified person to such office, for the remainder of the regular term only, by the Governor upon the recommendation of a majority of the trustees of the administrative area involved."

SECTION 2. Section 6 of Act 782 of 1956 amended—administrative areas may be changed—area trustees—terms—appointments—vacancies.—Section 6 of Act No. 782 of the 1956 Acts, as amended by Act No. 645 of the 1960 Acts, is further amended to read as follows :

"Section 6. The five administrative areas into which the Marlboro Board of Education has divided Marlboro County for school purposes, shall remain as now constituted; *provided*, however, that from time to time the Board of Education may in its discretion, if the school population, transportation problems and existing community welfare requires or renders it proper and expedient to do so, alter the administrative areas as to number and as to the area contained therein. The terms of office of all of the present trustees of all of the administrative areas of Marlboro County shall terminate on June 30, 1961, whereupon the Legislative Delegation for Marlboro County shall appoint a Board of School Trustees of five members for each such administrative area for the terms provided for in the following section. Upon the expiration of the terms of office of each appointee hereunder and each successor thereto, the Legislative Delegation shall appoint a successor to the office for a term of three years. Any vacancy in any such office by reason of death, disqualification or resignation shall be filled by appointment by the Legislative Delegation for the unexpired term only."

SECTION 3. Section 7 of Act 782 of 1956 amended—terms.—Section 7 of Act No. 782 of the 1956 Acts is amended to read as follows :

"Section 7. Except as hereinafter provided, all regular terms of trustees of the administrative areas shall be for three years each, except those of the initial appointees hereunder, which shall be as follows : Of the initial five trustees appointed hereunder for each area, two shall be appointed for terms of one year each ; two for terms of two years each, and one for a term of three years."

SECTION 4. Section 8 of Act 782 of 1956 amended—subitem 9 added—powers and duties.—Section 8 of Act No. 782 of the Acts of 1956, as amended, is further amended by adding a new subitem at the end thereof which shall read as follows:

“9. To recommend to the Governor for appointment the member of the County Board of Education from the administrative area of such trustees.”

SECTION 5. Not to affect present members of board of education.—Nothing in this Act shall be construed to affect the validity of the mode of appointment or terms of office of the present members of the Marlboro Board of Education, and vacancies on the Board will be filled as herein provided when and as present members of the board resign or their respective present terms of office expire.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R644, H1976)

No. 425

An Act To Amend Sections 5 And 7 Of Act No. 446 Of The Acts Of 1957, Requiring County Officers To Issue Certain Receipts And The Liability Of Officers Failing To Collect Certain Fees, So As To Provide For The Issuing Of Receipts For Fines And Licenses And To Make Officers Liable For Failing To Collect The Same.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 446 of 1957 amended—county officers to issue receipts for fees, fines and licenses in triplicate.—Section 5 of Act No. 446 of the Acts of 1957 is amended by adding after the word “fee” on lines 4, 6 and 7 the following: “, fine and license”, and by adding after the word “fees” on lines 10 and 11 the following “, fines and licenses”. The section when amended shall read as follows:

"Section 5. The county manager shall prepare and have printed receipt books in triplicate consecutively numbered which he shall deliver to the county treasurer who in turn shall charge the same out to the respective offices. The person collecting the fee, fine and license shall fill out the receipt in triplicate, delivering the original to the party paying such fee, fine and license and temporarily retain the other two copies. On the first of the month following the date the fee, fine and license was collected, the officer shall deliver the duplicate copies to the county treasurer together with a sworn affidavit on forms prescribed by the County Manager showing the total amount of fees, fines and licenses collected by that office for the previous month. The fees, fines and licenses shall be delivered to the treasurer for deposit to the credit of the general fund of the county. The county treasurer shall retain the duplicate copy and the triplicate receipt shall be retained by the officer issuing same and shall by him be filed as a permanent record of that office for audit and inspection by the public."

SECTION 2. Section 7 of Act 446 of 1957 amended—liability of officers.—Section 7 of Act No. 446 of the Acts of 1957 is amended by inserting after the word "costs" on line 2 the following: ", fines, licenses". The section when amended shall read as follows: "Section 7. Any of such officers who shall fail to collect such fees, mileages, costs, fines, licenses or charges in advance, except as otherwise herein permitted, shall be personally liable therefor and shall make payment thereof as if he had collected the same."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R646, H1957)

No. 426

An Act To Provide For The Care And Maintenance Of The Pickens County Courthouse And All Other Public Buildings Under The Supervision Of The Governing Board Of Pickens County And To Provide Penalties For The Abuse Of These Buildings.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County Courthouse—unlawful to loiter in.—It shall be unlawful for any person or persons to loiter in the Pickens County Courthouse or upon the grounds thereof. Sitting upon the steps of said Courthouse shall be considered a violation hereof.

SECTION 2. Unlawful to sit or walk on grass.—It shall be unlawful for any person or persons to sit or walk upon the grassed areas of the Courthouse grounds.

SECTION 3. Unlawful to spit on floors or deface walls.—It shall be unlawful for any person or persons to spit upon the Courthouse floors or walls or to deface the same, including the rest rooms.

SECTION 4. Unlawful to write or scratch on walls.—It shall be unlawful for any person or persons to write or scratch upon any walls or floors of said Courthouse, including the rest rooms.

SECTION 5. Unlawful to drink any beverage in rest rooms.—It shall also be unlawful for any person or persons to drink any beverage, intoxicating or otherwise, in said rest rooms.

SECTION 6. Unlawful to attach pictures or calendars.—It shall be unlawful for any person or persons to attach or affix any article, picture, advertisement, calendar or other material in or upon said Courthouse.

SECTION 7. Unlawful to smoke or chew tobacco in court room.—It shall be unlawful for any person or persons to smoke or chew tobacco in the court room of said Courthouse prior, during or subsequent to any term of court being conducted therein.

SECTION 8. Clerk of court to have custody of court room.—Said court room shall be in the exclusive custody and control of the Clerk of Court of Common Pleas and General Sessions of Pickens County.

SECTION 9. Use of court room.—The court room shall be used for no other purpose than that of holding the regular and special sessions of the Court of Common Pleas and General Sessions for Pickens County.

SECTION 10. Duties of clerk of court.—It shall be the duty of the Clerk of Court and the person or persons designated by him to en-

force the above provisions insofar as they apply to the court room, grand and petit jury rooms, judges chamber, and the hearing room located in the basement.

SECTION 11. Duties of board of commissioners.—Those areas of the Courthouse not mentioned in Section 10 herein above shall be in the exclusive custody and control of the Board of Commissioners of Pickens County and it shall be the duty of the Board of Commissioners of Pickens County and the person or persons designated by it to enforce the above provisions as to the remainder of said Courthouse and the grounds thereof.

SECTION 12. Duties—further.—All other buildings owned by Pickens County shall be in the exclusive custody and control of the Board of Commissioners of Pickens County.

SECTION 13. Penalties.—Any one violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed One Hundred Dollars (\$100.00) or imprisoned for a period not to exceed thirty (30) days.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R649, H1966)

No. 427

An Act To Amend Section 14-2170, Code Of Laws Of South Carolina, 1952, Relating To The County Bookkeeper Of Greenville County, So As To Redesignate The Bookkeeper As The Comptroller; To Repeal Section 14-2056 Of The Code, Requiring The Supervisor Of Greenville County To Publish Certain Statements Quarterly; To Repeal Sections 14-2111 Through 14-2117 Of The Code, Relating To Purchases By Greenville County; To Repeal Section 14-2121 Of The Code, Requiring The Supervisor Of Greenville County To Show On Warrants The Fund From Which The Same Is Drawn; And To Repeal Section 14-2175 Of The Code, Requiring The Treasurer Of Greenville County To File Certain Quarterly Statements With The Supervisor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-2170, 1952 Code, amended—board to employ comptroller—duties.—Section 14-2170, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 14-2170. The county board of commissioners shall control and care for the centralized budgetary control auditing system of the county. The board shall employ a comptroller, known as the ‘Greenville County Comptroller,’ who shall be placed in charge of the control system and who shall be charged with the duty of keeping daily records of requisitions approved by the board and of receipts and disbursements of the funds of the county.”

SECTION 2. Repeal—Sections 14-2056, 14-2111 through 14-2117, 14-2121 and 14-2175, 1952 Code, repealed.—Sections 14-2056, 14-2111 through 14-2117, 14-2121, 14-2175 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R650, H1977)

No. 428

An Act To Exempt Certain Property Owned By The Crippled Children's Society Of Charleston County From County And Municipal Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Crippled Children's Society of Charleston exempt from taxes.—That property owned by The Crippled Children's Society of Charleston County described as all that lot, piece or parcel of land situate, lying and being in the City of Charleston, County of Charleston, S. C., identified as Parcel # 2 on a plat entitled “Plat showing Parcel # 1 lettered A, B, C, D, & E and Parcel # 2 lettered C, D, F, G, & H, property of The City Council of Charleston, S. C., situated on the south side of Calhoun Street”, dated February 17, 1961, and approved by Hilliard B. Good, City Engineer, said lot having the size, shape and dimensions shown on said plat, is exempt from all county and municipal taxes so long

as it remains the property of The Crippled Children's Society of Charleston County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R653, H1982)

No. 429

An Act To Provide For The Use Of Certain Vehicles Confiscated By The Sheriff Of Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—disposition of confiscated motor vehicles.—Any automobile or motor vehicle seized by the Sheriff of Spartanburg County and confiscated in accordance with provisions of Sections 4-93, 4-116, Code of Laws of South Carolina, 1952, and Section 29 of Act No. 820 of the Acts of 1956, may be used by the sheriff's office for the purpose of law enforcement. If any automobile or other motor vehicle so confiscated and forfeited is not deemed suitable by the sheriff for the use of the sheriff's office then such automobile or motor vehicle shall be sold at public sale in accordance with the provisions of law governing such sale and the proceeds thereof shall be placed in a special fund with the county treasurer until such time as such funds shall become large enough to purchase an automobile or automobiles for the use of the sheriff's office in law enforcement.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R654, H2004)

No. 430

An Act To Amend Section 1 Of Act No. 11 Of The Acts Of 1957, Relating To The Jasper County Board Of Education, So As To Change The Composition Of The Board; To Provide The Areas From Which Its Members Shall Be Appointed; To Provide That The Superintendent Of Education Shall Be Secretary To The Board; And To Provide For The Terms Of The Members Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 11 of 1957 amended—Jasper County Board of Education—members—appointments—terms—vacancies.—Section 1 of Act No. 11 of the Acts of 1957 is amended to read as follows :

“Section 1. The Board of Education of Jasper County shall be composed of five qualified electors of the county. One member shall be appointed from each township in the county and one shall be appointed from the county at large. The members shall be appointed and commissioned by the Governor upon the written recommendation of the legislative delegation of the county. Three members shall be appointed for an initial term of two years and two shall be appointed for an initial term of three years, after which their successors shall be appointed for regular terms of four years. In case of vacancies, successors shall be appointed for the unexpired terms. The county superintendent of education shall be secretary to the board.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R656, S406)

No. 431

An Act To Amend Act No. 185 Of The Acts Of 1957, Relating To The Colleton County Development Board, So As To Further Provide For The Powers And Duties Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 185 of 1957 amended—subsection (m) added—powers and duties—further.—Section 6 of Act No. 185 of the Acts of 1957, as amended, is further amended by adding the following new subsection:

“(m) To sell to any municipality of the county the interest of the county or any portion thereof in any county-owned facilities for the furnishing of water to a municipality, and in the event that a sale for water facilities is made by the development board to a municipality the sale shall be upon such terms and conditions as may be agreed upon between the board and the governing body of the municipality concerned.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R658, H1984)

No. 432

An Act To Amend Item (7) Of Section 21-1807, Code Of Laws Of South Carolina, 1952, Relating To The Powers Of The Board Of Trustees Of The School District Of Chester County, So As To Provide For Pledges By The School District For The Repayment Of Short Term Notes In Anticipation Of Taxes And State Aid Funds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (7) of Section 21-1807, 1952 Code, amended—powers and duties—further.—Item (7) of Section 21-1807, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: “and the full faith, credit, and taxing power of the school district are hereby irrevocably pledged for the payment of the notes;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R659, H2007)

No. 433

An Act To Amend Item (5) Of Section 65-1522, Code Of Laws Of South Carolina, 1952, Relating To Exemptions From Taxes Of Certain Societies In Certain Counties, So As To Delete Therefrom Chester County And To Amend Section 65-1522, As Amended, Relating To General Exemptions From Taxes, So As To Add A New Item Providing For The Exemption From County, Municipal And School District Taxes Of Property Owned By Certain Corporations Or Societies In Chester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 5 of Section 65-1522, 1952 Code, amended—Chester County deleted therefrom.—Item (5) of Section 65-1522, Code of Laws of South Carolina, 1952, is amended by striking on line 2 the word “Chester” and on line 3 the words “Chester or” and by striking on line 4 the word “Counties” and inserting in lieu thereof the word “County”, so that when amended the section shall read as follows:

“(5) Social, charitable, etc., societies in certain counties.—The property of any social or fraternal society or association in Marion or Sumter Counties and of any charitable or eleemosynary society or association in Sumter County when such property is used by such society or association for the conduct of its meetings and business connected with the society or association and no part of such property is used for the purpose of producing revenue, but this exemption shall not extend to school district tax levies on property of any such society or association situate within the school district;”.

SECTION 2. Section 65-1522, 1952 Code, amended—property of certain corporations or societies in Chester County exempt from taxation.—Section 65-1522, Code of Laws of South Carolina, 1952, as amended, is further amended by adding new Item () which shall read as follows:

“() All property owned by any eleemosynary, charitable or fraternal corporation, or society located in Chester County which is used exclusively for and devoted exclusively to the fraternal or charitable objects and purposes of such corporation or society; but this exemption shall extend only to county, municipal and school district taxes;”.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R660, H1926)

No. 434

An Act To Establish Boards Of Rural Fire Control For The Following Areas In Berkeley County: The Cross Area, The Macedonia Area And An Area Outside The Town Of Jamestown; To Provide Their Powers, Duties And Membership And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Boards of rural fire control established for certain areas of Berkeley County.—There are established boards of rural fire control for the following areas in Berkeley County: (1) the Cross Area encompassed within the old school districts numbers 13, 14, 15 and 17, (2) The Macedonia Area encompassed within old school district No. 4 and (3) the area outside the Town of Jamestown encompassed in old school district No. 3, each to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation and shall serve for terms of three years. The members of the boards shall serve without pay and each board shall annually file a report with the Berkeley County Legislative Delegation, Supervisor and Treasurer not later than November first of each year showing all activities and disbursements made by the board during the year.

SECTION 2. Powers and duties.—Each board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling rural fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein; *provided*, the land on which such building is constructed shall be donated to the county so long as the property is used for housing fire fighting equipment under the supervision of the board.

SECTION 3. Use and supervision of equipment—service charges.—The fire fighting equipment provided for in this act shall be used to control, extinguish and fight any fire within the area covered by the truck company to which the equipment is assigned. All service rendered including the personnel used in the fighting or controlling fires shall be financed by charges at rates prescribed by the board governing the area. The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

SECTION 4. Members to direct traffic and enforce laws.—All members of the truck companies of each area may direct and control traffic at the scene of any fire in a rural area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 5. Penalties.—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the county or to interfere with any fire apparatus used by fire departments in the county and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R664, H2003)

No. 435

An Act To Establish A Tax Board Of Appeals For Williamsburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tax Board of Appeals for Williamsburg County—members—appointments—terms—powers and duties—organization—appeals.—There shall be a Tax Board of Appeals in Williamsburg County to consist of five competent persons, who shall be appointed by the Governor, upon the recommendation of the Legislative Delegation of Williamsburg County. The Board of Appeals shall serve for a term of four years. All powers and duties of the County Board of Equalization of Williamsburg County are hereby devolved upon the Tax Board of Appeals. The Board of Tax Appeals for Williamsburg County shall formulate the policy for returning property for taxation in the county and shall promulgate rules and regulations to insure that all the property in the county is fairly and equally assessed to the end that all property owners shall bear their just share of the taxes paid. The Board of Tax Appeals shall immediately organize after their appointment by electing one of their membership as chairman, and shall meet at the County Courthouse in Kingstree upon the call of the chairman as their duties may demand. No appeal shall be heard by the Tax Board of Appeals of Williamsburg County until first presented to the County Board of Tax Assessors. However, nothing contained in this section shall be construed so as to interfere with the right of appeal of the taxpayer to the South Carolina Tax Commission, the Comptroller General, or to the courts as provided by law.

SECTION 2. Compensation.—The members of the Williamsburg County Tax Board of Appeals shall be paid a per diem allowance of seven dollars and fifty cents, and mileage at the rate provided for by law.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R677, H1894)

No. 436

An Act To Require The Obtaining Of Permits Before Improvements Are Made To Certain Real Estate In Counties Containing A Municipality With A Population Of Over Ninety-Seven Thousand According To The Latest United States Census; To Provide For The Appointment Of A Building Inspector In Such Counties; To Establish Certain Liens; To Provide Penalties For Violations And To Repeal Act 422 Of 1957, Relating To Prohibition Against Making Improvements To Certain Real Estate In Certain Counties Without A Permit.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Building permits required in certain counties.—

It shall be unlawful for any person to erect or construct any improvements on real estate, which cost in excess of one thousand dollars, in any county containing a municipality with a population of more than ninety-seven thousand, according to the latest official United States Census, unless an application has been filed with and a permit granted by the county auditor or the magistrate in whose district the property is located to erect or construct such improvements; *provided*, that no application or permit shall be required for such improvements upon real estate situate within any incorporated municipality, which requires a permit for the erection or construction of such improvements.

SECTION 2. Application—form and information required.—

The auditor shall prepare and furnish all magistrates within such county with the application forms, which shall show information to be of assistance to him in locating the real estate on which such improvements are to be made and in checking tax returns. Such information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural Post Office box number; (d) estimated cost of construction; (e) estimated total floor area in square feet; (f) type of construction; (g) type of roof; (h) number of stories; (i) number of rooms; (j) use to be made of improvements; (k) width of right of way of street; and (l) approximate distance from the limits of the nearest municipality.

SECTION 3. Issuance and fee.—The auditor or magistrate shall issue the permit upon the applicant's paying a fee of two dollars when

the construction will cost less than two thousand five hundred dollars or five dollars when the construction will cost more than two thousand five hundred dollars. The permit shall be numbered and a card issued to be posted on the real estate on which the improvements are to be made. The permit shall be made in duplicate and the original shall be filed with the county auditor. When the permit is issued by a magistrate, he shall retain one-half of the fee collected for issuing such permit and shall remit the remaining one-half of the fee to the county treasurer on or before the tenth day of the succeeding month.

SECTION 4. Copies of permits to be furnished auditor.—Every municipality, in such county, requiring permits for the erection or construction of any improvements upon real estate situate within such municipality shall furnish to the auditor copies of all such permits issued by such municipality.

SECTION 5. Building inspector to be appointed.—The auditor of such county may appoint, subject to the approval of at least one-half of the legislative delegation, including the senator, of such county, a building inspector who shall be authorized to issue permits upon application and to retain one-half of the fee collected for issuing such permits and remit the remaining one-half of the fee to the county treasurer on or before the tenth day of the succeeding month.

SECTION 6. Penalties.—Any person violating the provisions of this act shall, upon conviction, be fined not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 7. Penalties—further.—The auditor may impose, in addition to any other penalty provided by law, an additional tax of fifty percent of the taxes payable in respect of any improvements which shall not have been taxed by reason of the failure to obtain such permit. The amount of such penalty shall be a lien upon the property for ten years.

SECTION 8. Repeal—Act 422 of 1957 repealed.—Act 422 of 1957 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

PART II
LOCAL AND TEMPORARY

(R154, H1017)

No. 437

A Joint Resolution Proposing An Amendment To Section 17 Of Article I Of The Constitution Of This State, Relating, Among Other Things, To Presentments Of Grand Juries, So As To Provide That No Person Shall Be Held To Answer For Any Criminal Offense Where The Punishment Exceeds A Fine Of Two Hundred Dollars Or Imprisonment For Thirty Days, With Of Without Hard Labor, Unless On A Presentment Or Indictment Of A Grand Jury Of The County Where The Crime Shall Have Been Committed, Except In Certain Cases.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article I, Section 17, State Constitution, proposed—presentments of grand juries.—There is proposed the following amendment to Section 17, Article I, of the Constitution of this State: strike out on line two the word “one” and insert in lieu thereof the word “two” so that, when amended, the section shall read as follows:

“Section 17. No person shall be held to answer for any crime where the punishment exceeds a fine of two hundred dollars or imprisonment for thirty days, with or without hard labor, unless on a presentment or indictment of a grand jury of the County where the crime shall have been committed, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or liberty, nor shall be compelled in any criminal case to be a witness against himself. Private property shall not be taken for private use without the consent of the owner, nor for public use without just compensation being first made therefor.”

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 17, Article I, of the Constitution of this State be amended so

as to provide that no person shall be held to answer for any crime where the punishment exceeds a fine of two hundred dollars or imprisonment for thirty days, with or without hard labor, unless on a presentment or indictment of a grand jury of the county where the crime shall have been committed except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment,' and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment.'"

(R159, H1405)

No. 438

A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Florence School District No. 5 Of Florence County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Florence County School District 5.—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Florence School District No. 5 of Florence County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein."

SECTION 2. Submission to electors.—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting pre-

cincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Florence School District No. 5 of Florence County to increase its bonded indebtedness up to fifteen per cent of the assessed value of the taxable property therein?

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

(R461, H1673)

No. 439

A Joint Resolution Directing The South Carolina Tax Commission To Adjust The Formula Used To Assess Merchants' Inventories And Merchants' Equipment, Furniture And Fixtures, So That The Resulting Assessment Will Be Reduced To Twelve Per Cent Over A Period Of Three Years; And Directing The Tax Commission To Fix Each Year The Value Of Inventories Of Persons Having Goods Or Wares For Sale At Retail Or Wholesale.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Formula used to assess merchants' inventories and equipment to be reduced.—The South Carolina Tax Commission is hereby directed to adjust the formula used to assess merchants' inventories and merchants' equipment, furniture and fixtures so that the resulting assessment will be reduced ratably over a period of three years to arrive at a twelve per cent assessment ratio.

SECTION 2. Annual returns.—Notwithstanding any other provisions of law, every person having goods or wares of whatever nature for sale at retail or at wholesale, or holding such goods or wares on consignment for sale or use or consumption shall make a return annually between January first and March first to the South Carolina Tax Commission in such form as the Tax Commission shall prescribe showing the value at cost of the inventory of all such goods or wares

on the last day of each calendar month of the preceding year and the value of all machinery, equipment, furniture and fixtures as of December thirty-first of the preceding year. Nothing herein shall require the return of inventories of goods manufactured by the taxpayer.

The Tax Commission shall fix the value of the inventories, machinery, equipment, furniture and fixtures for each year, and shall certify such valuation to the several county auditors, who shall place it on their records as the value of such property for taxation.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R205, H1367)

No. 440

A Joint Resolution Directing The South Carolina Wildlife Resources Department To Enter Into A Reciprocal Agreement, If Possible, With The North Carolina Wildlife Resources Department So As To Permit Residents Of Bordering Counties Of The Two States To Hunt Foxes Without Procuring A License From The Neighboring State If Duly Licensed To Hunt In The State Of His Residence.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fox hunting—Wildlife Resources Department—make reciprocal agreement with North Carolina.—The South Carolina Wildlife Resources Department is hereby directed to enter into a reciprocal agreement, if possible, with the Wildlife Resources Department of North Carolina so as to permit residents of bordering counties of the two states to hunt foxes in the adjoining state without procuring a license in that state if the hunter possesses a license in the state of his residence.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R546, H1565)

No. 441

A Joint Resolution To Change The 1961-1962 Hunting Season For Squirrels In Game Zone 3 From September First Through March First To October First Through February Fifteenth.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Game Zone 3—squirrel season for 1961-1962.—The 1961-1962 hunting season for squirrels in Game Zone 3 is hereby changed from September first through March first to October first through February fifteenth.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R217, H1398)

No. 442

An Act To Appropriate Not Exceeding Four Hundred Thousand Dollars Out Of Certain Funds Made Available Under The Employment Security Administrative Financing Act Of 1954, For The Purpose Of Acquisition Of Land And The Construction Of Office Buildings Thereon For The Use Of The South Carolina Employment Security Commission.

Whereas, the Congress of the United States by the passage of the Employment Security Administrative Financing Act of 1954, being Chapter 657, Public Law 567, 83rd Congress, 2nd session, has made available to the several states certain funds derived from collections under the Federal Unemployment Tax Act, which may be used by the states, among other things, for the acquisition and construction of state buildings to be used solely for the use of the respective state employment security departments; and

Whereas, it is the considered judgment of the General Assembly that the most economical and advantageous use which can be made of the funds provided for in such act, and made available to the State of South Carolina, is to continue the established plan whereby the

Employment Security Commission of this State can, over a period of years, be provided with permanent locations of an adequate nature to house the various offices of the Commission throughout the State; and

Whereas, the funds now available to the State of South Carolina, or which may be available within the next fiscal year, are not adequate to provide proper housing for all of the locations where the Employment Security Commission of this State has its offices, it is further the considered judgment of the General Assembly that the most pressing needs for such offices are within the corporate limits of the Cities of Anderson, Spartanburg and Sumter. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation for Employment Security Commission—purpose.—There is hereby appropriated to the South Carolina Employment Security Commission a sum not to exceed four hundred thousand dollars out of the funds made available to this State under the Employment Security Administrative Financing Act of 1954, Chapter 657, Public Law 567, 83rd Congress, 2nd session, which shall be expended solely as provided in Section 2 hereof for the acquisition of land and construction thereon of modern office buildings designed for the South Carolina Employment Security Commission operations, and to finance the designing and construction of such buildings, including such equipment, facilities, paving, landscaping and other improvements as may be required for the proper use and operation of such building projects after their completion, or such funds may be expended for the purchase of land and buildings appropriate for offices of the South Carolina Employment Security Commission and all necessary expenses incidental thereto. No part of the money hereby appropriated may be obligated after the expiration of the two year period beginning with the date of enactment of this act. The amount obligated pursuant to this act during any twelve month period beginning on July first and ending on the next June thirtieth shall not exceed the amount by which (a) the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during such twelve month period and the four preceding twelve month periods exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five twelve month periods.

SECTION 2. Division of funds.—The sum appropriated in Section 1 shall be divided in the following manner and for the following purposes: up to one hundred fifty thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing building in the City of Anderson; up to one hundred seventy-five thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing building, in the City of Spartanburg; and up to seventy-five thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing building, in the City of Sumter.

SECTION 3. Deposit and use of funds.—Any moneys requisitioned and withdrawn by the Commission under the provisions of Section 1 of this act shall be deposited in a separate account in this State's Employment Security Administration Fund, but such moneys until expended shall remain a part of the Unemployment Compensation Fund. The Commission shall maintain a separate record of the deposit, obligation, expenditure, and the return of funds so deposited. Any money so deposited which either will not be obligated within the period specified in Section 1 of this act or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund.

SECTION 4. Powers and duties.—The Commission may employ such necessary appraisers, architects, engineers and contractors, and may execute all contracts necessary to effectuate the declared purposes of this act, including the acquisition of the necessary real estate for offices, which real property shall be acquired in the name of the South Carolina Employment Security Commission and used exclusively thereafter for providing facilities for the Commission.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R20, H1032)

No. 443**A Joint Resolution To Amend Section 2 Of Joint Resolution No. 893 Of 1960 Relating To The Reporting Date Of The Committee Created To Investigate Loan Agencies In South Carolina, So As To Extend The Reporting Date.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Joint Resolution 893 of 1960 amended—duties of committee.—Section 2 of Joint Resolution No. 893 of 1960 is amended by striking all the words after the word “Assembly” in the last sentence of Section 2 and inserting in lieu thereof the words “on or before March 10, 1961.”, so that the section when amended shall read as follows :

“Section 2. The committee shall make a thorough study of the money lending business in South Carolina which shall encompass a searching investigation of the policy, operation and administration of every type and kind of agency that lends money in any amount and for any purpose whatsoever. The matter of interest, carrying charges, insurance charges and all manner of costs, both hidden and apparent, shall be probed and a definite determination made of the ultimate amount that lenders of money are charging borrowers for the use of money loaned. The committee shall report its findings with such recommendations in the premises as it may deem necessary in order to carry out the the intent of this act to the General Assembly on or before March 10, 1961.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R228, H1481)

No. 444

A Joint Resolution To Continue The Committee Created By Act No. 896 Of The Acts Of 1960 To Cooperate With The Water Pollution Control Authority Of South Carolina In Establishing A Water Policy For The State And To Provide For Its Compensation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Water policy committee continued.—The committee created by Act No. 896 of the Acts of 1960 shall be continued for the purpose of cooperating with the Water Pollution Control Authority of South Carolina in establishing a water policy for the State and encouraging the proper development, wise use, conservation and protection of surface water. The committee shall report its recommendations at the session of the General Assembly to be held in 1962. The members of the committee shall receive the usual per diem and mileage, to be paid from the approved accounts of both Houses. Such per diem and mileage shall not exceed one thousand dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R475, S247)

No. 445

A Joint Resolution To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Act No. 931 Of 1956, Act No. 452 Of 1957, Act No. 986 Of 1958, Act No. 328 Of 1959, And Act No. 895 Of 1960, To Study The Forestry Problems In The State.

Whereas, a joint committee was appointed pursuant to Act No. 373 of 1955 to study the forest fire problems of the State; and

Whereas, the committee was continued by Act No. 931 of 1956, Act No. 452 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, and Act No. 895 of 1960; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved; and

Whereas, the forestry industry and woods products have an annual value of many millions of dollars and are second only to the textile industry in economic importance to South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Forestry Study Committee continued.—The committee appointed pursuant to Act No. 373 of 1955 and continued by

Act No. 931 of 1956, Act No. 452 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, and Act No. 895 of 1960, to study the forestry problems of this State shall be continued and the committee shall report its findings at the session of the General Assembly of 1962.

SECTION 2. Appropriations.—The sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the State to cover the expenses of the committee in making its study and preparing its report. Members of the committee shall receive a per diem of ten dollars and the travel allowance allowed to other persons engaged in the business of the State when engaged in the exercise of their duties as members of the committee. All warrants drawn upon the appropriations made in this section shall bear the signature of the chairman of the committee.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R110, H1267)

No. 446

An Act To Authorize The Secretary Of State To Restore The Charter Of The T & C Motor Court.

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the T & C Motor Court. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of T. & C. Motor Court may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the T & C Motor Court upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original

charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R356, H1748)

No. 447

An Act To Authorize The Secretary Of State To Grant A Special Charter Or To Reinstate The Forfeited Charter Of Swan Corporation And Of Greentop Farms, Inc.

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to reinstate the charters or to grant special charters to Swan Corporation and Greentop Farms, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charters of Swan Corporation and Greentop Farms, Inc. may be reinstated.—The Secretary of State is authorized to grant special charters or to reinstate the forfeited charters of Swan Corporation and Greentop Farms, Inc. upon payment by the corporations to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. Any and all acts and deeds done by either of the corporations while without a charter are hereby validated.

SECTION 2. Register of mesne conveyances of Spartanburg County to be notified.—The Secretary of State shall notify the Register of Mesne Conveyance of Spartanburg County of the granting of such special charters or the reinstating of the forfeited charters of the corporations and the Register of Mesne Conveyance shall note the same upon the records of his office.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R401, H1659)

No. 448

An Act To Authorize The Secretary Of State To Restore The Charter Of The Garner Construction Company.

Whereas, the General Assembly by Concurrent Resolution H 1509 pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Garner Construction Company. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Garner Construction Company may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Garner Construction Company upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter and the clerk of court shall note the same upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R436, S368)

No. 449

An Act To Authorize The Secretary Of State To Restore The Charter Of The Grand Strand Broadcasting Corporation Of Myrtle Beach, South Carolina.

Whereas, the General Assembly on April 26, 1961, by Concurrent Resolution S-348, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Grand Strand Broadcasting Corporation of Myrtle Beach, South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Grand Strand Broadcasting Corporation may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Grand Strand Broadcasting Corporation of Myrtle Beach, South Carolina, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the forfeited charter, and the clerk of court shall note the same upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R605, H1836)

No. 450

An Act To Authorize The Secretary Of State To Restore The Charter Of The Orange Investment Company, Inc., Of Orangeburg, South Carolina.

Whereas, the General Assembly on April 26, 1961, by Concurrent Resolution H-1656, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Orange Investment Company, Inc., Orangeburg, South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Orange Investment Co., Inc., may be restored.—Authority is hereby granted to the Secretary of State

to restore the charter of the Orange Investment Company, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the forfeited charter, and the clerk of court shall note the same upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R606, H1838)

No. 451

An Act To Authorize The Secretary Of State To Restore The Charter Of The Reedul Investments, Inc.

Whereas, the General Assembly by concurrent resolution pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter to the Reedul Investments, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Reedul Investments, Inc., may be restored.—Authority is hereby granted to the Secretary of State to restore the charter of the Reedul Investments, Inc. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the commission shall find to be due. The Secretary of State shall notify the Clerk of Court of the county in which the original charter was granted of the reinstatement and the Clerk of Court shall note the reinstatement on the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R268, S287)

No. 452

An Act To Empower The Board Of Trustees Of The Medical College Of South Carolina To Sell And Convey Lands In Colleton County Devised To It By The Late Mary DeBow Rich And To Invest The Proceeds From Such Sales Upon The Trust Upon Which The Properties Were Devised.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Medical College of South Carolina has acquired considerable land in Colleton County as a result of the generous devise of the late Mary DeBow Rich of Colleton County, who left to the Medical College the residue of her estate in order that scholarships might be established by the Board of Trustees of the Medical College of South Carolina (hereinafter referred to as “the Board of Trustees”) for deserving students. The devise was made in memory of her father, the late Dr. John C. Rich, an 1855 graduate of the Medical College, and later a surgeon in the Army of the Confederate States of America. Certain of the tracts thus vested in the Medical College consist of farm lands, and others consist of timber lands, and it is neither practical nor desirable that the Board of Trustees undertake to operate them. The General Assembly has therefore determined that the Board of Trustees should be empowered to sell the lands at such times, and on such terms and conditions as the Board of Trustees shall deem to be to the best interest of the Medical College, and to invest the proceeds in such securities as the Board of Trustees shall approve, in order that the maximum income can result, and the greatest possible number of scholarships can thus be given.

SECTION 2. Medical College may sell property in Colleton County.—The Board of Trustees of the Medical College of South Carolina is hereby authorized and empowered to sell and convey all or any portion of the lands devised to it by Mary DeBow Rich, late of Colleton County, at such times, and on such terms and conditions as the Board of Trustees shall deem to be to the best interest of the Medical College. The proceeds derived from the sales shall be held by the Board of Trustees upon the terms and conditions of the trusts established by the will of Mary DeBow Rich, and invested and reinvested from time to time in such securities as the Board of Trustees shall direct.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R371, H1612)

No. 453

An Act To Empower The Board Of Trustees Of The Medical College Of South Carolina To Convey To The United States Of America Without Monetary Consideration All Or Any Part Of The Tract Of Marsh Or Low Land Owned By The College, Lying Eastward Of Lockwood Boulevard In The City Of Charleston, And To Prescribe The Conditions Under Which The Conveyance May Be Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the Medical College of South Carolina has acquired title to a tract of marsh, or low land, situate generally eastward of the street in the City of Charleston known as Lockwood Boulevard, and that the United States of America, acting through one or more of its administrative agencies, proposes to construct and operate in the vicinity of the Medical College of South Carolina a Veterans' Hospital.

It further finds that the construction of such a hospital in close proximity to the Medical College of South Carolina will provide immeasurable benefit to the Medical College of South Carolina, and that as a consequence thereof, it is in the interest of the Medical College of South Carolina to convey the property, or so much thereof as shall be required for the proposed Veterans' Hospital, to the United States of America, or to any administrative agency thereof, without consideration, and upon such conditions, reservations and reversions, if any, as the Board of Trustees of the Medical College of South Carolina shall deem to be in the best interest of the institution.

By reason of the findings above set forth, the General Assembly of the State of South Carolina is minded to empower the Board

of Trustees of the Medical College of South Carolina to convey all, or such portion of the tract of land referred to above, to the United States of America, or to any administrative agency thereof, without monetary consideration therefor, and upon such conditions, reservations and reversions, if any, as the Board of Trustees of the Medical College of South Carolina shall determine.

SECTION 2. Medical College may convey property to United States of America.—The Board of Trustees of the Medical College of South Carolina may convey all or such portion of the marsh, or low land owned by the Medical College of South Carolina, and lying generally eastward of the street in the City of Charleston known as Lockwood Boulevard, to the United States of America, or to any administrative agency thereof, without monetary consideration therefor, and upon such conditions, reservations and reversions, if any, as the Board of Trustees shall deem proper. The conveyance herein authorized may convey the fee simple title to the property above described, and prior thereto, the Board of Trustees shall be empowered to enter into contracts or to grant options to the United States of America, or any administrative agency thereof, without monetary consideration therefor, agreeing to effect the conveyance authorized by this act upon such terms, conditions, reservations, and reversions, if any, as the Board of Trustees shall determine to be in the best interest of the Medical College of South Carolina.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

An Act To Repeal Act No. 321 Of The Acts Of 1959, Empowering The Board Of Trustees Of The Medical College Of South Carolina To Construct A Laboratory And Quarters For Animals On Land Belonging To The Medical College Situate On James Island.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 321 of 1959 repealed.—Act No. 321 of the Acts of 1959 is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R286, S293)

No. 455

An Act To Authorize Additional Facilities At The South Carolina State Hospital And Whitten Village; To Authorize The Issuance Of Notes Of The State Of South Carolina In The Aggregate Principal Amount Of Six Million Five Hundred Thousand Dollars For Such Purposes; To Prescribe The Conditions Under Which The Notes May Be Issued; And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. General Assembly finds additional facilities needed at State Hospital and Whitten Village.—The General Assembly finds that additional facilities are required at the South Carolina State Hospital and at Whitten Village and, therefore, authorizes the following undertakings:

1. The construction and equipment of a kitchen at the State Park Division of the State Hospital and the construction and equipment of a laundry building for use of the institution and such other facilities as are recommended by the Mental Health Commission and approved by the State Budget and Control Board. It is estimated that the cost of these facilities will not exceed five million dollars. The projects here authorized shall be constructed under the supervision of the Mental Health Commission.

2. The construction of additional facilities at Whitten Village, near Clinton, at a cost of not exceeding one million five hundred thousand dollars. The facilities here authorized shall be constructed under the supervision of the governing board of the institution.

The General Assembly takes further note of the fact that the projects herein authorized were previously authorized by the provisions

of Act No. 907 of the Acts of 1960, which, in turn, had amended Act No. 140 of the Acts of 1959, and that as a means of providing funds with which to pay the principal of and interest on the loans authorized by the enactments, revenues derived from the paying patients at both of the institutions have been impounded, so that there are on hand on this occasion funds which have been set apart for the payment of the principal and interest of the loans intended to be made pursuant to Act No. 907 of the Acts of 1960. It has been determined that such funds should be invested by the State Treasurer in direct obligations of the United States of America and held in a special sinking fund available to meet the payment of the principal and interest of the loans herein authorized, in the event that revenues derived from the paying patients at either of the institutions should fail to meet anticipations during any year throughout which the obligations herein authorized shall be outstanding. Mindful, however, of the fact that the State Budget and Control Board, in its capacity as Trustee of the funds of the South Carolina Retirement System, proposes to make the loans herein authorized and that the quality of all investments made for such Retirement System must continue to be of the highest caliber, it has been determined that both loans herein authorized to be made shall be additionally secured by a pledge of so much of the moneys derived from any State inheritance, gift or estate tax that may be levied from time to time by the State of South Carolina upon inheritances and gifts and upon the estates of deceased persons, in the event that the primary source for the payment of the loans herein authorized shall fail to meet anticipations.

SECTION 2. Issuance of notes for State Hospital.—1. In order to provide funds for the expenditures authorized to be made at the South Carolina State Hospital, and if the approval of the State Budget and Control Board shall be obtained and shall be expressed by proper resolution, the Governor and the State Treasurer shall be empowered to issue notes of the State of South Carolina to the extent of not exceeding five million dollars. Such notes may be issued as a single issue, or from time to time as several separate issues. They shall be dated and bear interest in such manner as the State Budget and Control Board shall provide. They shall mature in successive annual instalments in such manner as the State Budget and Control Board shall determine, except that the last instalment of any series shall fall due not later than the twentieth

anniversary of the date as of which the particular series of notes are dated.

2. All notes issued under this section shall be signed by the Governor and the State Treasurer. The great seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed shall be valid notwithstanding any changes in officers or seal occurring after such execution. The notes shall be in such form as the State Budget and Control Board may prescribe.

3. The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Act No. 730 of 1952; and it shall be lawful for State funds, and retirement and pension funds to be invested in the notes.

4. For the payment of the principal of and interest on all notes issued for the South Carolina State Hospital pursuant to this section, there shall be pledged all revenues derived by the South Carolina State Hospital from paying patients. The moneys so received shall be remitted to the State Treasurer from time to time and on such occasions as the State Budget and Control Board shall prescribe. When received by the State Treasurer the moneys shall be held in a special fund and applied to the payment of the principal of and interest on the notes herein authorized and to no other purpose.

Moneys already received by the State Treasurer in anticipation of the issuance of notes pursuant to the earlier enactments mentioned above shall constitute a sinking fund and shall be invested and reinvested by the State Treasurer in direct obligations of the United States of America. The sinking fund so held shall be applicable for the payment of any instalment of principal or interest of any notes issued for the South Carolina State Hospital, in the event that the revenues derived from paying patients at such institutions and then held by the State Treasurer shall prove insufficient for such purpose. The sinking fund may also be used to effect the retirement of all notes hereby authorized to be issued for the South Carolina State Hospital whenever the value of the sinking fund shall equal the aggregate of the debt outstanding. For the payment of the principal of and interest on the notes there shall also be pledged so much of the revenues as may be derived from the tax or taxes imposed by the provisions of Article 6, Chapters 7 and 8, Title 65, Code of Laws of South Carolina, 1952, or any tax levied by the State of South Carolina in lieu of the present tax imposed upon inheritances, gifts and the estates of

deceased persons. The pledge of revenues herein made shall be deemed to be on a parity with the pledge similarly authorized to secure the indebtedness authorized by this act for Whitten Village, and it shall be on a parity with the pledge previously made for loans authorized by Act No. 234 of the Acts of 1955, if the holders of the now outstanding portions of the loans made pursuant to Act 234 of 1955 shall consent. The pledges made by any provisions of this act shall not be deemed to prevent the issuance of further obligations of the State of South Carolina (hereafter to be authorized by legislative enactment), secured in whole or in part by a pledge of the revenues derived from the inheritance, gift or estate taxes; *provided*, that the average annual amount received by the State from such sources for the two preceding fiscal years prior to the issuance of such further obligations shall equal one hundred and fifty per cent of the maximum annual principal and interest requirements on all obligations outstanding or to be outstanding, secured in whole or in part by a pledge of revenues derived from the tax.

The pledge of the revenue derived from the tax shall not preclude the revision of the tax as to rate or as to method of its imposition, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and fifty per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes then issued and outstanding, secured in whole or in part by a pledge of the revenues. The certificate shall be appended to the enrolled act and be presented to the joint assembly on the occasion the act is presented for ratification.

SECTION 3. Issuance of notes for Whitten Village.—1. In order to provide funds for the expenditures authorized to be made at Whitten Village, and if the approval of the State Budget and Control Board shall be obtained and shall be expressed by proper resolution, the Governor and the State Treasurer shall be empowered to issue notes of the State of South Carolina to the extent of not exceeding one million five hundred thousand dollars. The notes shall be issued as a single issue, or from time to time as several separate issues. They shall be dated and bear interest in such manner as the State Budget and Control Board shall provide. They shall mature in successive annual instalments in such manner as the State Budget and Control Board shall determine, except that the last

instalment of any series shall fall due not later than the twentieth anniversary of the date as of which the particular series of notes are dated.

2. All notes issued under this section shall be signed by the Governor and the State Treasurer. The great seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed shall be valid notwithstanding any changes in officers or seal occurring after such execution. The notes shall be in such form as the State Budget and Control Board may prescribe.

3. The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Act No. 730 of 1952; and it shall be lawful for State funds, and retirement and pension funds to be invested in the notes.

4. For the payment of the principal of and interest on all notes issued for Whitten Village pursuant to this section, there shall be pledged all revenues derived by Whitten Village from paying patients. The moneys so received shall be remitted to the State Treasurer from time to time and on such occasions as the State Budget and Control Board shall prescribe. When received by the State Treasurer the moneys shall be held in a special fund and applied to the payment of the principal of and interest on the notes herein authorized and to no other purpose.

Moneys already received by the State Treasurer in anticipation of the issuance of notes pursuant to the earlier enactments mentioned above shall constitute a sinking fund and shall be invested and reinvested by the State Treasurer in direct obligations of the United States of America. The sinking fund so held shall be applicable for the payment of any instalment of principal or interest of any notes issued for Whitten Village, in the event that the revenues derived from paying patients at such institution and then held by the State Treasurer shall prove insufficient for the purpose. The sinking fund may also be used to effect the retirement of all notes hereby authorized to be issued for Whitten Village whenever the value of the sinking fund shall equal the aggregate of the debt outstanding. For the payment of the principal of and interest on the notes there shall also be pledged so much of the revenues as may be derived from the tax or taxes imposed by the provisions of Article 6, Chapters 7 and 8, Title 65, Code of Laws of South Carolina, 1952, or any tax levied by the State of South Carolina in lieu of the present tax imposed upon in-

heritances, gifts and the estates of deceased persons. The pledge of revenues herein made shall be deemed to be on a parity with the pledge similarly authorized to secure the indebtedness authorized by this act for the South Carolina State Hospital, and the same shall be on a parity with the pledge previously made for loans authorized by Act No. 234 of 1955, if the holders of the now outstanding portions of the loans made pursuant to Act No. 234 of 1955 shall consent. The pledges made by any provisions of this act shall not be deemed to prevent the issuance of further obligations of the State of South Carolina (hereafter to be authorized by legislative enactment), secured in whole or in part by a pledge of the revenues derived from the inheritance, gift or estate taxes, *provided*, that the average annual amount received by the State from such sources for the two preceding fiscal years prior to the issuance of such further obligations shall equal one hundred and fifty per cent of the maximum annual principal and interest requirements on all obligations outstanding or to be outstanding, secured in whole or in part by a pledge of revenues derived from the tax.

The pledge of the revenue derived from the tax shall not preclude the revision of the tax as to rate or as to method of its imposition, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and fifty per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes then issued and outstanding, secured in whole or in part by a pledge of the revenues. The certificate shall be appended to the enrolled act and be presented to the joint assembly on the occasion the act is presented for ratification.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

Student And Faculty Housing Facilities; To Empower The Board Of Trustees To Effect Loans For Such Purposes, Through The Issuance Of Revenue Bonds And Also For The Purpose Of Refunding Outstanding Bonds Payable From The Revenues Derived From Student And Faculty Housing Facilities, Through The Means Of The Authorizations Of This Act; To Define The Procedure By Which Such Loans May Be Effected And The Covenants And Undertakings To Secure The Loans; To Make Provision For The Payment Of Loans; And To Declare Valid Certain Bonds Heretofore Issued For Any Of Such Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that heretofore, and in pursuance of the statutory authorizations hereinafter recited, the Board of Trustees, hereafter called “the Trustees”, of The Clemson Agricultural College of South Carolina, hereafter called “Clemson College”, has effected the issuance of bonds for both student and faculty housing facilities, which are secured in whole or in part by a pledge of all or portions of the revenues which are derived from student and faculty housing facilities, such bonds heretofore issued being (as of March 2, 1961) :

1. An issue of two million five hundred thousand dollars Faculty Housing Revenue Bonds of The Clemson Agricultural College of South Carolina, dated September 1, 1950, issued pursuant to Act No. 1058 of the Acts and Joint Resolutions of South Carolina, 1950, of which one million six hundred ninety-six thousand dollars are unmatured. Such bonds were publicly offered and are therefore widely and diversely held, but all bonds now outstanding are subject to redemption on all interest payment dates. Such bonds are payable primarily from the operation of the apartment hotel building and individual apartment units, constructed with the proceeds of the bonds, but are additionally secured by other covenants and pledges which permit, under certain conditions, use of revenues from certain student housing facilities.

2. An issue of four million dollars Barracks Revenue Bonds of The Clemson Agricultural College of South Carolina, dated September 1, 1954, issued pursuant to Act No. 369 of the Acts and Joint Resolutions of South Carolina, 1953, of which three million five hundred twenty-two thousand dollars are unmatured. Such bonds are payable from the entire revenues derived by Clemson

College from all student housing facilities which it may now or hereafter possess, but the pledge so made is subordinate to the pledge previously made in connection with the issue of September 1, 1950.

3. An issue of eight hundred thirty-five thousand dollars Student and Faculty Housing Revenue Bonds, series of 1958, of The Clemson Agricultural College of South Carolina, dated March 1, 1958, issued pursuant to Act No. 470 of the Acts and Joint Resolutions of South Carolina, 1957, of which seven hundred thirty-three thousand dollars are unmatured. These bonds are payable from the entire revenues derived by Clemson College from all student and faculty housing facilities which it may now or hereafter possess.

4. An issue of seven hundred seventy-five thousand dollars Student and Faculty Housing Revenue Bonds, series of 1959, of The Clemson Agricultural College of South Carolina, dated September 1, 1959, issued pursuant to Act No. 470 of the Acts and Joint Resolutions of South Carolina, 1957, of which seven hundred forty-five thousand dollars are unmatured. These bonds are payable from the entire revenues derived by Clemson College from all student and faculty housing facilities which it may now or hereafter possess.

5. An issue of eight hundred ninety thousand dollars Student and Faculty Housing Revenue Bonds, series of 1960, of The Clemson Agricultural College of South Carolina, dated September 1, 1960, issued pursuant to Act No. 470 of the Acts and Joint Resolutions of South Carolina, 1957, of which eight hundred ninety thousand dollars are unmatured. These bonds are payable from the entire revenues derived by Clemson College from all student and faculty housing facilities which it may now or hereafter possess.

The pledges so made to secure the bonds described in paragraphs 3, 4 and 5 of this section were given parity with the pledge made to secure the bonds of the issue of September 1, 1954.

Like the pledge made to secure the bonds described in paragraph 2 of this section, the pledges made to secure the bonds described in paragraphs 3, 4 and 5 of this section are subject to the pledge given to secure the bonds described in paragraph 1 of this section.

All of the bonds described in paragraphs 2, 3, 4, and 5 of this section are held by the State Budget and Control Board of the State of South Carolina, in its capacity as Trustee of the South Carolina Retirement System.

The enrollment at Clemson College has expanded steadily and continues to rise, making it apparent that there is a definite need for

further facilities to house the expanding enrollment and to house the additional persons who must be added to the faculty to give instruction to the increasing student body. Due consideration and investigation has been given to this need and to the method which would raise moneys to enable the Trustees to construct such additional facilities.

It has been ascertained that consent of the State Budget and Control Board can likely be secured to the issuance of additional bonds payable from the entire revenues to be derived from existing and further student and faculty housing facilities, secured by a pledge of such revenues, on a parity with the pledges given to secure the bonds described in paragraphs 2, 3, 4, and 5 of this section.

It has also been determined that it might become advantageous for Clemson College to refund all or some part of the bonds now outstanding and that no statutory authorization now exists whereby such refunding may be accomplished. It has, therefore, been determined to authorize, under the conditions herein set forth, additional bonds of Clemson College, payable from the revenues herein set forth, for the purposes and to the extent herein provided. As an incident to such plan it has been determined to declare legal, valid and binding the several issues of bonds described in paragraphs 1 to 5, inclusive, of this section.

SECTION 2. Bond issues of Clemson College valid and binding.—The General Assembly declares that each and every bond of the issues described in paragraphs 1 to 5, inclusive, of Section 1 of this act, is a legal, valid and binding obligation of Clemson College, which is payable, both principal and interest, according to the tenor, and upon the terms and conditions set forth in each of the bonds.

SECTION 3. Additional student and faculty housing facilities authorized—bonds may be refunded.—The Trustees are hereby authorized and empowered to acquire additional student and faculty housing facilities, to the extent they shall approve and can acquire with the proceeds of the bonds authorized by this act. The Trustees are also authorized and empowered to effect the refunding of all or any part of the bonds now or hereafter outstanding, which are a part of the issues described in paragraphs 1 to 5, inclusive, of Section 1 of this act.

SECTION 4. Borrow—use of proceeds.—To the end that the Trustees may acquire such additional student and faculty housing facilities, the Trustees shall be permitted to borrow, from time to time, not exceeding in the aggregate, five million dollars, as well as such further sum as the Trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of Clemson College. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction, and equipping of dormitories and buildings designed for student and faculty housing, and auxiliary and related facilities, to be located on lands owned by Clemson College. Such buildings, when constructed, shall be used for the purpose of providing housing, and auxiliary and related facilities, for students and faculty of Clemson College.

SECTION 5. Payment.—All bonds issued pursuant to this act shall be payable from the entire revenues derived by Clemson College from all student and faculty housing facilities which it may now or hereafter possess and utilize, and such revenues shall be pledged to the payment of the principal and interest of such bonds in the manner herein provided. *Provided*, that such pledge shall be subordinate, to the extent necessary, to any prior pledge which secures in any way the principal and interest of the bonds of Clemson College described in paragraph 1 of Section 1 of this act, and *provided*, further, that prior to the issuance of bonds secured by a pledge on a parity with that securing the bonds described in paragraphs 2, 3, 4 and 5 of Section 1 of this act, the consent of the holders of such bonds shall be obtained. Both the Trustees and the State Budget and Control Board are empowered to agree that bonds issued pursuant to this act shall be secured by pledges on a parity with the pledges securing the bonds described in paragraphs 2, 3, 4 and 5 of Section 1 of this act.

SECTION 6. Credit of State not to be pledged—trustees not liable.—The faith and credit of the State of South Carolina shall not be pledged for the payment of the principal and interest of such bonds, and there shall be on the face of each bond a statement plainly worded, to that effect. Neither the Trustees nor any other person signing the bonds shall be personally liable therefor.

SECTION 7. Trustees to adopt resolutions concerning bonds—maturity—interest—denominations—redemption.—In order to

avail themselves of the authorizations set forth in this act, the Trustees of Clemson College shall adopt resolutions providing for the issuance of bonds of Clemson College, within the limitations herein mentioned, which resolutions shall prescribe the tenor, terms and conditions of such bonds. Such bonds shall be issued as serial bonds, maturing in equal or unequal amounts, at such times and on such occasions as the Trustees shall determine. *Provided*, always, that the last maturing bonds of any issue shall be expressed to mature not later than fifty years from their date, and the first maturing bonds of any issue, issued pursuant to this act, shall fall due within five years from their date. They shall bear such rates of interest, payable on such occasion, as the Trustees shall prescribe, and the bonds shall be in such denominations, shall be payable in such medium of payment, and at such place as such resolutions shall prescribe. All bonds maturing subsequent to fifteen years from their date shall be subject to redemption not later than fifteen years from their date, and on all subsequent interest payment dates prior to their respective maturities. All bonds may be issued with a provision permitting their redemption on any interest payment date prior to their respective maturities. Bonds made subject to redemption prior to their stated maturities may contain a provision requiring the payment of a premium for the privilege of exercising the right of redemption, in such amount or amounts as the Trustees shall prescribe in the resolutions authorizing their issuance. All bonds that are subject to redemption shall contain a statement to that effect on the face of each bond. The resolutions authorizing their issuance shall contain provisions, specifying the manner of call and the notice of call that must be given.

SECTION 8. Form.—Such bonds may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered on the books of the Treasurer of Clemson College, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Trustees may prescribe, or such bonds may be issued as fully registered bonds. If issued as fully registered bonds, it may be provided that they may thereafter be converted into negotiable coupon bonds of the tenor described above.

SECTION 9. Exempt from taxes.—The bonds authorized by this act and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 10. Certain persons may purchase bonds.—It shall be lawful for all executors, administrators, guardians and fiduciaries, all sinking fund commissions, and the State Budget and Control Board, as Trustee of the South Carolina Retirement System, to invest any moneys in their hands in such bonds.

SECTION 11. Execution.—Such bonds and the coupons, if any, attached to such bonds, shall be executed in the name of Clemson College in such manner and by such persons as the Trustees shall from time to time determine, and the seal of Clemson College shall be affixed to or impressed on each bond. Any coupons attached to such bonds shall be authenticated by the facsimile signature of one or more of the persons signing the bonds. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution.

SECTION 12. Sale.—The bonds shall be disposed of in such manner as the Trustees shall determine, except that no sale, privately negotiated without public advertisement, shall be made unless the approval of the State Budget and Control Board shall be obtained. If the Trustees shall elect to sell the bonds at public sale, at least one advertisement thereof shall appear in some newspaper of general circulation in South Carolina not less than ten days prior to the occasion fixed for the opening of bids.

SECTION 13. Powers and duties of trustees.—To the end that the payment of the principal and interest of the bonds authorized hereby shall be adequately secured, the Trustees of Clemson College shall be empowered in their discretion:

1. To issue bonds in such amount, within the limitations herein provided for, as the Trustees shall deem necessary, provided that it shall be lawful for the Trustees to use a portion of the principal proceeds derived from any sale of bonds, except bonds issued to effect refunding of outstanding bonds, to meet the payment of interest on such bonds for a period of one year, it being recognized by the General Assembly, that until the facilities, to be constructed with the proceeds of the loan, shall be completed, an undue burden may be imposed upon then existing revenues.

2. To pledge the entire revenues specified in Section 2 of this act, for the payment of the principal of and interest on the bonds as they respectively mature.

3. To covenant that no housing facilities owned by Clemson College will be used free of charge, or to specify and limit the facilities which may be made use of free of charge.

4. To covenant to establish and maintain such system of rules as will insure the continuous use and occupancy of the facilities, whose revenues are pledged to secure any bonds.

5. To covenant that an adequate schedule of charges will be established and maintained for all the facilities, whose revenues shall be pledged to secure any bonds, to the extent necessary to produce sufficient revenues to:

(a) Pay the cost of operating and maintaining the facilities, whose revenues, shall be pledged for the payment of the bonds, including the cost of fire, extended coverage and use and occupancy insurance;

(b) Pay the principal and interest of the bonds as they respectively become due;

(c) Create and at all times maintain, an adequate Debt Service Reserve Fund to meet the payment of such principal and interest; and

(d) Create and at all times maintain an adequate reserve for contingencies, and for major repairs and replacement.

6. To covenant against the mortgaging or disposing of the facilities, whose revenues shall be pledged for the payment of such bonds, and against permitting or suffering any lien to be created thereon, equal or superior to the lien created for the benefit of such bonds. *Provided*, always, that the Trustees shall be empowered to discontinue the use of, or demolish, obsolete facilities and to reserve the right, under such terms as they shall prescribe, to issue additional bonds on a parity with the bonds authorized by this act, if at some later date they shall obtain legislative authorization for the issuance of such further bonds.

7. To covenant as to the use of the proceeds derived from the sale of any bonds issued pursuant to this act.

8. To provide for the terms, form, registration, exchange, execution and authentication of bonds, and for the replacement of lost, destroyed or mutilated bonds.

9. To make covenants with respect to the use of the facilities, to be constructed with the proceeds of the bonds authorized hereby, and of the other facilities, whose revenues shall be pledged for the payment of the bonds.

10. To covenant that all revenues pledged for the payment of the bonds shall be duly segregated into special funds, and that such funds will be used solely for the purposes for which they are intended and for no other purpose.

11. To covenant for the mandatory redemption of bonds on such terms and conditions as the resolutions authorizing such bonds shall prescribe.

12. To prescribe the procedure, if any, by which the terms of the contract with the bondholders may be amended, the number of bonds whose holders must consent thereto, and the manner in which such consent shall be given.

13. To covenant as to the maintenance of the facilities, whose revenues shall be pledged for the payment of the bonds, the insurance to be carried thereon, and the use and disposition of proceeds from any insurance policy.

14. To prescribe the events of default and the terms and conditions upon which all or any bonds shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

15. To impose a statutory lien upon the facilities, whose revenues shall be pledged to secure the bonds. Such lien shall extend to such facilities, to their appurtenances and extension, to their additions, improvements and enlargements to the extent specified in the resolutions and shall inure to the benefit of the holders of the bonds secured thereby. Such facilities shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of any of the bonds, or any of the coupons representing interest thereon, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien, and may, by suit, action, mandamus or other proceedings enforce and compel performance of all duties of the Trustees, including the fixing of sufficient rates, the proper segregation of the revenues, and the proper application thereof. *Provided*, however, that the statutory lien shall not be construed to give any such bond or coupon holder authority to compel the sale of any of the facilities, or any part thereof.

16. To covenant that if there be any default in the payment of the principal of or interest upon any of the bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the facilities, whose revenues shall be pledged

for the payment of such bonds, with power to fix rates and charges for the facilities, sufficient to provide for the payment of the expense of operating and maintaining such facilities, and to apply the income and revenues of such facilities to the payment of such bonds, and the interest thereon.

SECTION 14. No time limit set on issuance of bonds.—The authorizations granted by this act shall remain of full force and effect until they shall be rescinded by subsequent enactment, and no time limit is set for the issuance of bonds pursuant to this act.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R256, H1552)

No. 457

An Act To Transfer To The University Of South Carolina Certain Portions Of Devine, Marion And Bull Streets In The City Of Columbia And To Close The Portions Of Devine, Marion And Bull Streets So Transferred For Use Of The Public As Public Streets Or Highways.

Whereas, the Council of the City of Columbia in a session held on March 15, 1961, unanimously approved the transfer to the University of South Carolina of portions of Devine, Marion and Bull Streets within the corporate limits of the city and further at the same meeting approved the abandonment for use of the public as public streets or highways of these certain portions of Devine, Marion and Bull Streets so transferred to the University. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State to transfer portions of certain streets to University.—The State of South Carolina hereby transfers to the University of South Carolina the following streets in the City of Columbia all of which terminate on the campus of the University: that portion of Devine Street between Marion and Pickens Streets which is bounded on three sides by property of the University of

South Carolina and on the east by the west side of Pickens Street; that portion of Marion Street between Devine Street and Blossom Street which is bounded on three sides by property of the University of South Carolina and the south by the north side of Blossom Street; and, that portion of Bull Street between Green and Blossom Streets which is bounded on both sides by the property of the University of South Carolina. These parcels of land are hereby abandoned as streets and highways for the use of the public, and the use by the University of South Carolina shall not be limited by any prior use, or any use heretofore made of it as public streets or highways.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R405, H1525)

No. 458

An Act Authorizing The State Budget And Control Board To Accept A Deed To Certain Property In Calhoun County Now Known As Camp Harry Daniels.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Camp Harry Daniels may be transferred to State.—The State Budget and Control Board is hereby authorized to accept in the name of the State of South Carolina, by deed from the owners thereof, certain property situate in Calhoun County consisting of approximately two hundred sixty-six and one-half acres, now known as Camp Harry Daniels.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R406, H1535)

No. 459

An Act To Authorize The Adjutant General To Reconvey In The Name Of The State Of South Carolina A Certain Tract Of Land Conveyed As A Site For The National Guard Armory In Great Falls, South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Adjutant General may reconvey property to J. P. Stevens & Company.—The Adjutant General of South Carolina shall execute, on behalf of and in the name of the State of South Carolina, a deed of conveyance reconveying to J. P. Stevens & Co., Inc. that tract of land previously conveyed to the State of South Carolina by deed recorded in the office of the Clerk of Court for Chester County in Deed Book 362 at page 163. This conveyance shall be made without the requirement or payment of any consideration on the part of J. P. Stevens & Co., Inc.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R413, H1665)

No. 460

An Act To Authorize The State Budget And Control Board To Sell Certain Property Situate In Both Aiken And Edgefield Counties And To Prescribe How The Sale Shall Take Place.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State may sell certain property.—The State Budget and Control Board is hereby authorized to sell the tract of land hereinafter described which is situate in both Aiken and Edgefield Counties. The land to be sold is described as follows :

All that certain parcel or tract of land with improvements thereon containing one hundred acres more or less situate in both Aiken and Edgefield Counties in the State of South Carolina, particularly shown and described on a plat thereof made on

November 28, 1950 by M. E. Reams, registered land surveyor, and being bounded on the north by lands of Julia Bland and Edna Nicholson; on the east by lands of the Miles Ashley estate; on the south by lands of The Bettis Academy and on the west by lands of the Alex Bettis estate, and being the identical premises conveyed to the State of South Carolina by deed of the Bettis Academy, dated January 11, 1951, recorded in the clerk's office for Aiken and Edgefield Counties respectively, in deed book 127 at page 219, and in deed book 39 at page 402.

SECTION 2. Sale.—The land shall be sold at public auction by the master of Aiken County, on sales day in June or thereafter, at the Aiken County Courthouse. Notice shall be given of the time and place of the sale as is now required by law of all judicial sales, with copies of the notice to be advertised in all local newspapers published in Aiken and Edgefield Counties. The State Budget and Control Board shall reserve the right to reject any and all bids.

SECTION 3. Sale—further.—The property shall be divided and sold by parcels and by the entirety, and the board shall have the right to accept the highest bid as in its discretion is deemed for the best interest of the State.

SECTION 4. Executions.—If the board determines to accept any bid, the director of the Division of Sinking Funds and Property is authorized to convey by proper deed the property sold. The money realized from the sale shall be deposited to the ordinary funds of the State Sinking Fund.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

An Act To Authorize The Transfer Of Ten Thousand Dollars From The General Fund Of Abbeville County To The Contingent Fund Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County may transfer funds.—Authority is hereby granted for the transfer of ten thousand dollars from the General Fund of Abbeville County to the Contingent Fund of the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R107, S56)

No. 462

An Act To Authorize The Closing Of A Certain Road In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Abbeville County may close certain road.—Authority is hereby granted Abbeville County to close four-tenths of a mile of old county road beginning at the intersection of State highway No. 71 with State highway No. 81.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R187, S245)

No. 463

An Act To Authorize The Closing Of Certain Roads And Removal From The State Highway System In Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain roads in Abbeville County may be removed from highway system.—The State Highway Department is hereby

authorized to close and remove from the highway system in Abbeville County approximately 0.25 of a mile beginning at South Carolina Highway No. 99, one-tenth of a mile west of this intersection with South Carolina Highway No. 20 and running in a northeasterly direction to South Carolina Highway No. 20; and to remove from the highway system approximately 0.15 of a mile being Poplar Street in the City of Abbeville running from Penny Street to South Carolina Highway No. 72.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R375, H1701)

No. 464

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriations herein made for the fiscal year 1961-1962 beginning July 1, 1961, and ending June 30, 1962. There is hereby appropriated from the general fund of Abbeville County the following sums for the following purposes:

ITEM A. SALARIES:

Auditor	\$ 1,288.00
Clerk to Auditor	2,178.00
Treasurer	1,288.00
Clerk to Treasurer	2,178.00
Sheriff	3,993.00
Assistant Jailor to Sheriff	363.00
Three Deputy Sheriffs at \$3,751.00 each	11,253.00

Tax Collector	3,993.00
Travel Expense, Tax Collector, etc.	500.00
<i>Provided</i> , the above shall be paid by order of the County Board of Commissioners upon an itemized and verified claim of Tax Collector, not exceeding in any one month one-twelfth of the total allowance for the twelve months. Provided, further, that the claim shall be approved by the Abbeville County Delegation, and in no event shall the total amount expended exceed the sum of \$500.00 for the fiscal year 1961-62.	
Supervisor	3,993.00
Clerk to Board	2,178.00
County Commissioners (2) \$399.30 each	798.60
Board of Education	792.00
Clerk of Court	3,993.00
Assistant to Clerk of Court	2,178.00
Judge of Probate	3,993.00
Clerk to Judge of Probate	2,178.00
Coroner	471.90
Clerk to Board of Registration, Abbeville County	242.00
Board of Equalization, if so much be necessary	1,100.00
Vital Statistics	200.00
Abbeville County Service Officer, payable in monthly installments, for expense	1,300.00
Total	\$ 50,451.50

ITEM B. COURT EXPENSES:

Jurors and Witnesses	\$ 5,000.00
Provided, jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of \$5.50 per day.	
Magistrates' Courts:	
Abbeville	1,815.00
Donalds	287.50
Due West	287.50
Calhoun Falls	544.50
Lowndesville	287.50

Diamond Hill	287.50
Constables:	
Donalds	287.50
Due West	287.50
Calhoun Falls	431.24
Lowndesville	287.50
Diamond Hill	287.50
Lunacy, Post Mortems and Inquests	600.00
Sheriff to serve civil and criminal papers. In the event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation.	

Total \$ 10,690.74

ITEM C. PUBLIC OFFICERS:

Printing, postage stamps and stationery	\$ 3,000.00
Telephone and Telegraph, courthouse and phones of other county officials, twelve, if so much be necessary	1,000.00
County Health Unit, if so much be necessary for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health	8,900.00
Premiums of Bonds of County Officers and Recording same	1,200.00

Total \$ 14,100.00

ITEM D. PUBLIC BUILDINGS:

Janitor—Courthouse	\$ 1,200.00
Water, heat, light, supplies for janitor	2,000.00
Insurance	1,400.00

Total \$ 4,600.00

ITEM E. SPECIALS:

To pay the cost of installation or rental of Mobile Telephone Service for the law enforcement department of the county under the

supervision of the Sheriff. If unable to install rent will not exceed \$2,200.00 for fiscal year 1961-62.	\$ 2,200.00
Abbeville Hospital	22,000.00
Payable to Abbeville Hospital \$1,833.33 at the end of each month beginning July 1, 1961. <i>Provided</i> , that the sum appropriated for the Abbeville Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization.	
Auditing Books for Abbeville County	500.00
Contingent Fund	12,500.00
To pay to W. M. Agnew, Treasurer, Abbeville County Library Association	3,000.00
To be used by the Abbeville County Library Association payable \$216.00 per month at the end of each month beginning July 1, 1961.	
Girls' Four-H Club Work	100.00
Boys' Four-H Club Work	100.00
Home Demonstration Agent Supplies	60.00
Extra Clerical Work in office of Clerk of Court during sessions of court, etc., payable monthly under the direction of the Clerk of Court	300.00
For stamps, stationery for Abbeville County Treasurer, if so much be necessary for mailing statements due by taxpayers	500.00
To pay J. L. Savitz, Chairman of the Finance Committee, Abbeville County Public Library, located in the City of Abbeville, Abbeville County, S. C. to be used for library purposes	1,500.00
Commander Medical Detachment 51st Div. Art.	400.00
Pay to Company Commander, Service Battery 178 F. A. Bn., Abbeville, S. C.	1,000.00
Pay to American Legion Commander, American Legion Post No. 72, Calhoun Falls, S. C. and Auxiliary	400.00
Abbeville American Legion	200.00
Civil Defense	500.00

To pay South Carolina Retirement System County Employees' part	2,000.00
Social Security, County's part	2,000.00
Pay to Treasurer, F. F. A., Camping Trip ..	100.00
Pay to Treasurer, Abbeville County Council of Boy Scouts	150.00
Pay to Treasurer, Girl Scouts	200.00
Pay to Mrs. Lois L. Fleming, Secretary to County Agent	120.00
Payable \$10.00 per month beginning July 1, 1961.	
Pay to Mrs. Caroline M. Cochran, Secretary to Home Demonstration Agent	120.00
Payable \$10.00 per month beginning July 1, 1961.	
Pay to Mrs. Catherine L. Everett, School Room Supervisor, Expense Account	120.00
Payable \$10.00 per month beginning July 1, 1961.	
For the purpose of establishing facilities for research, planning and development for the benefit of the entire county, there is hereby ap- propriated the sum of \$5,000.00 to be paid out for this purpose at the direction of the County Delegation	5,000.00
County Board of Education, School Lunch, for freight and storage on commodities, if so much be necessary, etc.	500.00
Pay to T. B. Association for upkeep, repair or replacement of equipment, if so much be necessary	150.00
Pay to County Agent for:	
Stamps	\$ 35.00
Telephone	25.00
Soil Sample Containers ..	15.00
	75.00
To pay to Girls' Future Homemakers of America, Expenses	150.00
To pay to Boys' Future Farmers of America, Expenses	100.00
Total	<hr/> \$ 56,045.00

ITEM F. JAIL EXPENSES:

Including dieting of Prisoners and Janitor ..	\$ 3,000.00
Light and Water	200.00
Fuel	500.00
Repairs to automobile, gas and oil for Sheriff	1,000.00
<i>Provided</i> , that claims for oil and gasoline to be paid monthly and before said claims shall be paid as valid claims against the county, the sheriff must take oath that the oil and gasoline consumed was used only in the enforcement of criminal law.	
<i>Provided</i> , the jailor shall diet all prisoners in his care and janitor at one dollar and twenty-five cents per day each. All accounts for dieting of prisoners and janitor shall be presented duly attested to the Board of Commissioners, and by them allowed or rejected.	
Deputy Sheriffs' uniforms to be bought on the authorization of the county delegation..	500.00

Total\$ 5,200.00

ITEM G. COUNTY HOME AND FARM:

Chaplain and Funeral Expenses	\$ 600.00
The Supervisor and Subsupervisors are given authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer, ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation. All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County.	
Total	\$ 600.00

ITEM H. ROADS AND BRIDGES:

Maintenance of Roads and Bridges and purchasing of new road machinery and trucks..	\$ 60,000.00
Total	\$ 60,000.00

ITEM I. INTEREST, ETC.:

Interest on County indebtedness	\$ 1.00
Total	\$ 1.00

ITEM J. PUBLIC WELFARE:

To pay Abbeville County Department of Public Welfare for use as an Emergency Fund payable on the order of the County Board of Public Welfare	\$ 1,000.00
--	-------------

Provided, that no payment shall exceed the sum of \$25.00 to any one family or person.

To pay to Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare	600.00
---	--------

Provided, that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to attend the clinics provided by Abbeville County Health Department.

To pay to Abbeville County Department of Public Welfare for office supplies	100.00
---	--------

To pay to Abbeville County Department of Public Welfare for one additional clerical worker	1,800.00
--	----------

Payable \$150.00 per month beginning July 1, 1961.

To supplement salary of County Director of Public Welfare	360.00
---	--------

Payable \$30.00 per month beginning July 1, 1961.

Public Welfare Members (3)	180.00
----------------------------------	--------

Payable \$5.00 per month beginning July 1, 1961.

Pay to each member of Public Welfare Staff, Social Workers, Expense Account—4 members \$120.00 each	480.00
---	--------

Payable \$10.00 per month, per member, beginning July 1, 1961.

Pay to each member of Public Welfare Staff, Clerical Workers, 3 members, \$120.00 each.	360.00
---	--------

Payable \$10.00 per month, each member, beginning July 1, 1961.

Total	\$ 4,880.00
ITEM K. Miscellaneous	\$ 1.00
Total	\$ 1.00
ITEM L. Pay to Lloyd H. Bull, County Agent, the sum of \$25.00 per month beginning the first day of July, 1961	\$ 300.00
To pay rent on Health Clinic at Donalds, S. C., payable \$25.00 per month beginning the first day of July, 1961	300.00
To pay rent on Health Clinic at Antreville, \$12.00 per month	144.00
Total	\$ 744.00
GRAND TOTAL	\$207,313.24
Less Estimated Revenue Other Than Taxes:	
Road Tax	\$ 1,200.00
Income Tax	24,850.00
Liquor Tax	19,875.00
Beer and Wine Tax	5,000.00
Gas Tax	57,250.00
Bank Tax	2,000.00
Insurance License Fees	7,000.00
Fines	10,200.00
Fees	7,550.00
Forestry	9,735.62
Total	\$144,660.62
TOTAL TO BE RAISED BY TAXATION	\$ 62,652.62

SECTION 2. The county commissioners shall have equal authority in county matters with the supervisor; *provided*, that the statement of affairs of the county shall be posted on the bulletin board in front of the courthouse and published in the newspapers as now

provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided*, that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided*, further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter during the calendar year.

SECTION 3. The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purposes in the manner fixed by law.

SECTION 4. The administrative Superintendent of the School System of Abbeville County on the fifteenth day of each month shall file with School District No. 60 of the county a statement showing the amount of monies on hand to the credit of the school district, and the county treasurer shall file with the supervisor, on the fifteenth day of each month a statement showing the amount on hand to the credit of the county.

SECTION 5. The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

SECTION 6. The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided*, that the transfer of any of the items may be made by the

written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

SECTION 7. If, owing to the nonpayment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall not be sufficient funds available for the full payment of the notes executed by the county board to secure the loans for the fiscal year 1960-61, ending June 30, 1961, then in that case the county board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same.

SECTION 8. Any unexpended balance in any department, at the end of the fiscal year 1960-61 with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1961-1962, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same. *Provided*, however, that any unexpended balance in the budget for the County Health Department at the end of the fiscal year 1960-1961 shall be retained by the department and added to appropriation made herein for the 1961-1962 fiscal year for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health.

SECTION 9. The Abbeville County Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

SECTION 10. The county delegation is hereby authorized and empowered to secure the services of a certified public accountant to make an audit of the county books for the fiscal year 1961-1962, beginning July 1, 1961.

SECTION 11. The office of County Attorney is hereby abolished. In the event the county needs legal advice of any sort, then the Abbeville County Delegation shall employ an attorney of its choice and shall pay for such legal advice from the Contingent Fund for the fiscal year 1961-1962.

SECTION 12. The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne convey-

ances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1961, shall be turned over to the county treasurer as provided by Act No. 7 of the Acts of 1935 and Act No. 655 of the Acts of 1936.

SECTION 13. The Abbeville County Delegation may add new items to Item K, Miscellaneous, and transfer from the Contingent Fund, 1961, for the payment thereof.

SECTION 14. The supervisor and the county board of commissioners are hereby prohibited from entering into a contract for the county whereby any legal counsel is employed to prosecute or defend any suit in the State, county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having first obtained the written consent of the Abbeville County Delegation.

SECTION 15. The Abbeville County Delegation is hereby authorized and empowered to pay to the members of the Forestry Committee, or any other members of a committee authorized by legislation, meeting during the fiscal year 1961-1962, ending June 30, 1962, the sum of seven dollars and fifty cents per day from the Contingent Fund under Item E; *provided*, however, none of the committee shall be paid for more than twelve meetings during the fiscal year 1961-1962.

SECTION 16. All authorizations for transfers for the 1960-1961 Appropriations Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

SECTION 17. The County Board of Commissioners of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

SECTION 18. Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum, shall be payable one year from date, and shall be signed by the chairman and the members of the county board of commissioners.

SECTION 19. The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

SECTION 20. The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1961-1962, beginning July 1, 1961, for Abbeville County.

SECTION 21. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 22. All purchases made by any of the officials of Abbeville County exceeding the sum of one hundred dollars shall be submitted for bids and shall be approved by the Abbeville County Delegation.

SECTION 23. All gasoline used by the Sheriff's Department will be supplied from the tank at the Abbeville County Farm. At the time any gasoline is pumped from the tank and oil furnished, the same shall be signed for by the party getting said gasoline or oil at the said fueling place. In case there should be an emergency on the road, then the Sheriff's Department is permitted to purchase gasoline and oil and furnish an itemized statement for same.

SECTION 24. Any necessary expenses incurred by the Legislative Delegation pertaining entirely to county business will be reimbursed out of the contingent fund by furnishing the Supervisor with a statement of expenditures.

SECTION 25. The records pertaining to the business of Abbeville County shall be open to inspection by any member of the Legislative Delegation.

SECTION 26. All acts or parts of acts inconsistent herewith are repealed.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R55, S110)

No. 465

An Act To Authorize The Langley Water And Sewer District Of Aiken County To Borrow Not Exceeding Sixty-Five Hundred Dollars For The Purpose Of Capital Improvements For The District, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—Whereas, the General Assembly finds that the Langley Water and Sewer District of Aiken County is in need of capital improvements in the existing facilities of the water and sewer district; and

Whereas, the General Assembly finds further that the improvements are needed to be made at the earliest practicable time and that the cost thereof is very small, and if a bond issue is resorted to it will entail additional expense and considerable extra time; and

Whereas, for these reasons the General Assembly has determined that it is necessary for the Langley Water and Sewer District to be authorized to borrow by note the necessary money to carry out the needed capital improvements.

SECTION 2. Langley Water and Sewer District may borrow money.—At the request of the Langley Water and Sewer District of Aiken County, authority is hereby granted to borrow not to exceed the sum of sixty-five hundred dollars from the State Bank and Trust Company (Langley Branch), at a rate of interest not to exceed six per cent.

The notes shall be signed by all members of the Langley Water and Sewer District Commission and when so signed by all members shall constitute a binding obligation of the Langley Water and Sewer District, for the payment of which the full faith and credit of the district is hereby pledged.

The notes shall be repaid at the rate of one hundred dollars per month, plus the necessary interest, and the entire obligation shall be terminated not more than six years from the making.

The notes authorized by this act shall be fully executed and the entire transaction put into effect within thirty days after the effective date of this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R321, S340)

No. 466

An Act Directing The South Carolina State Highway Department To Remove A Certain Road In Aiken County From Its System And Closing The Road To Public Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Road in Aiken County to be removed from Highway System.—The South Carolina State Highway Department is hereby directed to remove from its system a certain road in Aiken County extending from Highway No. 49 via Camp Long to Highway No. 154.

SECTION 2. Closing of.—The road mentioned in Section 1 of this act is hereby closed to public use.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R489, S403)

No. 467

An Act To Authorize The Aiken County Commission For Higher Education To Borrow A Sum Not Exceeding Fifty-Five Thousand Dollars For The Purpose Of The Aiken County Extension Center Of The University Of South Carolina And To Provide For Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Aiken County Commission for Higher Education may borrow money.—The Aiken County Commission for Higher

Education is authorized to borrow, within thirty days after the effective date of this act, from a lending agency in Aiken County a sum of money not to exceed fifty-five thousand dollars. The proceeds of the loan shall be used for the acquisition of a site for the location of the Aiken County extension center of the University of South Carolina, for equipping the center and for such other capital expenditures as shall appear to the Commission to be desirable.

SECTION 2. Note—execution—payment.—The indebtedness shall be evidenced by a note which shall be executed on behalf of the Commission by the chairman of the Commission and the secretary. The interest shall be the most favorable that can be obtained. The principal and interest shall be repaid in ten equal installments from the date of the note. To secure the payment of the note the Commission shall execute a mortgage in favor of the lender on such property as is acquired for the center, and as additional security the full faith and credit of Aiken County are irrevocably pledged.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R589, H1693)

No. 468

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1. There shall be levied a tax upon all the taxable property of Aiken County for ordinary county and school purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, sufficient to meet the amounts hereinafter appropriated, after de-

ducting therefrom the estimated revenue accruing from the ordinary county funds.

Item 1. Roads and bridges, including county shop, miscellaneous, office supplies and machinery\$126,000.00

Salaries:

Supervisor	6,000.00
Travel Expense of Supervisor	1,500.00
Three Commissioners @ \$2,500.00 each	7,500.00
Three Commissioners, Expenses \$1,000.00 each	3,000.00
Chief Clerk, Base pay	3,570.00
Clerk, Base pay	3,267.60
Clerk Aid, Base pay	2,844.45
Superintendent of County Farm, Base pay	3,150.00
One Machinist, Base pay	3,696.00
Two Machinists (Assistant) Base pay	6,720.00
Three Road Foremen @ \$3,150.00, Base pay ..	9,450.00
Three Guards @ \$3,150.00, Base pay	9,450.00
Two Tournapull Operators @ \$3,150.00, Base pay	6,300.00
Six Road Patrols @ \$2,966.25, Base pay	17,797.50

Total, Item 1\$210,245.55

Provided, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

Provided, further, that the appropriation herein provided under Item 1, Section 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, road-working organizations and payment of all employees who may be engaged for such purposes.

Provided, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while

they are confined in the county centralized camp and while they are engaged in work on said farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The Supervisor shall inspect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county monthly.

Provided, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost of work so performed. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County. *Provided*, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

Item 2.	Clerk of Court, Salary	\$ 6,000.00
	Chief Clerk, Base pay	3,570.00
	Clerk, Base pay	3,267.60
	Assistant Clerk, Base pay	2,950.00
	Six Clerk Aids @ \$2,844.45, Base pay	17,066.70
	Supplies	7,500.00
	Total, Item 2	\$ 40,354.30
Item 3.	Sheriff's Salary	\$ 6,000.00
	Expenses, Sheriff	1,500.00
	Chief Deputy, Base pay	4,151.70
	Ten Deputy Sheriffs @ \$3,953.25, Base pay ..	39,532.50
	Telephone Expenses, Chief Deputy, Identification Officer, and ten Deputy Sheriffs, \$60.00 each	720.00
	Supplies, Identification Bureau	1,000.00
	Identification Officer, Base pay	4,151.70
	Car Maintenance, gasoline and oil of Deputy Sheriffs, if so much be needed	10,500.00
	<i>Provided</i> , that all cars now owned by Aiken County be used only for official county or state business.	
	Uniforms for Chief Deputy, Identification Officer, and ten Deputy Sheriffs, to be purchased by Aiken County Commissioners	2,400.00
	<i>Provided</i> , that any property owned by Aiken County, for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay check until all county property issued such personnel shall have been turned in and receipt therefor issued.	
	<i>Provided</i> , that in the expenditure of this appropriation, the County Commissioners and Super-	

visor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.

Provided, further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.

Provided, further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.

Clerk of Sheriff, Base pay	3,570.00
Assistant Clerk, Base pay	2,950.00
Expenses going after prisoners	1,250.00
Radio Technician @ \$141.00 per month	1,692.00
Radio Supplies	250.00
Supplies, Main Office	1,250.00
Car Expenses, Deputy Sheriffs, Graniteville— five @ \$102.50 per month	6,150.00
Car Expenses, Deputy Sheriffs, Gloverville- Langley-Bath-Clearwater area	3,000.00
One Deputy Sheriff, Montmorenci, Base pay..	1,437.66
Deputy Sheriffs, Gloverville-Langley-Bath- Clearwater Area, Base pay 3 @ \$3,953.25	11,859.75
Telephone Expenses, Deputy Sheriffs, Glover- ville-Langley-Bath-Clearwater area, three @ \$60.00	180.00
Uniform allowance, Deputy Sheriffs, Glover- ville-Langley-Bath-Clearwater area, three @ \$200.00	600.00
Deputy Sheriff, Beech Island-Jackson area, to be selected by Sheriff of Aiken County, Base pay	3,953.25
Car Expense, Deputy Sheriff, Beech Island- Jackson area	1,500.00
Telephone, Deputy Sheriff, Beech Island-Jack- son area	60.00
Uniform Allowance, Deputy Sheriff, Beech Is- land-Jackson area	200.00
Total, Item 3	\$109,858.56

Item 4. Tax Collector:

Salary	\$ 5,750.00
Chief Clerk, Base pay	3,570.00
Assistant Clerk, Base pay	2,950.00
Property Record Clerk, part time	1,200.00
Expenses of office, including gas, oil, books, etc.	2,000.00

Total, Item 4\$ 15,470.00

Provided, that total appropriations for this item shall be paid from the collections made by the Tax Collector, and any surplus existing thereafter shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Superintendent of Buildings, Base pay	\$ 3,953.25
Telephone Expenses, Superintendent of Buildings	60.00
Three Jailers @ \$3,953.25, Base Pay	11,859.75
Telephone Expense, Jailers, 3 @ \$60.00	180.00
Uniform Allowance, Jailers	600.00

Provided, that the jailers shall be appointed by the Sheriff and they shall be commissioned as deputy sheriffs. The Sheriff shall see to it that one of the jailers shall be at the jail at all times. The Superintendent of Buildings shall be appointed by the Supervisor and County Commissioners and shall be in charge of maintenance and upkeep of all county buildings and shall be in charge of the dieting of prisoners.

Jail expenses, including dieting of prisoners ... 8,500.00

Provided, that this fund of \$8,500.00 or so much thereof as may be necessary, is to be expended by the Superintendent of Buildings with the approval of the Supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by the Treasurer of Aiken County upon claims approved by the county commissioners and the

Supervisor. The Superintendent of Buildings, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The commissioners and supervisor, when practicable, shall provide crops and meats grown and raised on the County Farm in dieting and feeding the prisoners.

Total, Item 5\$ 25,153.00

Item 6. County Treasurer:

Salary	\$ 2,502.00
Chief Clerk, Base pay	3,570.00
Assistant Clerk, Base pay	2,950.00
Clerk Aid	2,844.45
Extra Clerical Help	3,000.00
Supplies and Miscellaneous	700.00
County Treasurer, travel	250.00
Mailing out tax notices, if so much be necessary	2,500.00

Total, Item 6\$ 18,316.45

Provided, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation. *Provided*, further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the Legislative Delegation and to the Supervisor a statement showing receipts and disbursements of all State, county and school funds for the preceding month, together with a statement showing the purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided*, further, that notice shall be sent out to each taxpayer prior to October 1, 1961.

Item 7. County Auditor :

Salary	\$ 2,502.00
Chief Clerk and Deputy Auditor, Base pay	3,570.00
Assistant Clerk, Base Pay	2,950.00
Two Clerk Aids @ \$2,844.45, Base pay	5,688.90
Miscellaneous Supplies	2,400.00
Auto Registrations and Boat Registrations	500.00
Board of Equalization	4,000.00
Auditor, travel	300.00
Extra clerical help	1,500.00

Total, Item 7\$ 23,410.90

Provided, that members of the county board of equalization shall each receive as compensation for his services the sum of \$8.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education :

Adult School Work	\$ 7,000.00
Special Services	1,000.00

Total, Item 8\$ 8,000.00

Provided, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor and Adult Education.

Item 9. Coroner :

Salary	\$ 3,000.00
Telephone and Supplies	200.00
Expenses of Coroner	820.00

Total, Item 9\$ 4,020.00

Item 10. Master :

Salary	\$ 5,750.00
Supplies and Maintenance	500.00
Clerk to Master, Base pay	3,570.00
Expenses	600.00
Revolving Fund	700.00
One Clerk Aid @ \$2,844.45, Base pay	2,844.45

Total, Item 10\$ 13,964.45

Item 11. County Service Officer:

Salary	\$ 5,750.00
Clerk, Salary, Base pay	2,844.45
Travel Expenses	1,000.00
Postage, stationery, equipment	500.00
<hr/>	
Travel, Item 11	\$ 10,094.45

Item 12. Probate Judge:

Salary	\$ 5,500.00
Chief Clerk, Base pay	3,570.00
Clerk Aid, Base pay	2,844.45
Supplies and new equipment, if so much be necessary	1,500.00
Expense money for handling insane persons ...	200.00
<hr/>	
Total, Item 12	\$ 13,614.45

Item 13. Magistrates and Constables:

Magistrates:

Aiken (District No. 1)	\$ 4,070.00
Expenses (Magistrate, District No. 1)	600.00
Windsor (District No. 3)	825.00
Salley (District No. 4)	1,108.80
Wagener (District No. 5)	1,108.80
Wards (District No. 6)	660.00
Oak Grove (District No. 7)	660.00
Langley (Districts Nos. 10 and 17)	2,640.00
Expenses (Districts Nos. 10 and 17)	600.00
Graniteville (Districts Nos. 8, 9 and 15)	2,640.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
North Augusta (District No. 11)	1,732.50
Beech Island (District No. 12)	1,732.50
Talatha (District No. 13)	1,732.50
Jackson (District No. 14)	1,732.50
Clearwater (District No. 16)	1,732.50
Expenses (District No. 16)	600.00
Supplies for Magistrates	500.00

Constables:

Aiken (District No. 1)	2,760.45
Expenses (District No. 1)	600.00
Windsor (District No. 3)	605.00

Salley (District No. 4)	605.00
Wagener (District No. 5)	825.00
Wards (District No. 6)	309.10
Oak Grove (District No. 7)	1,000.00
Graniteville (Districts Nos. 8, 9 and 15)	2,640.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
Langley (Districts Nos. 10 and 17)	2,640.00
Expenses (Districts Nos. 10 and 17)	600.00
North Augusta (District No. 11)	1,540.00
Beech Island (District No. 12)	715.00
Talatha (District No. 13)	715.00
Jackson (District No. 14)	715.00
Clearwater (District No. 16)	1,699.50
Expenses (District No. 16)	600.00

Provided, that the Magistrate's Constable in the Clearwater District shall also serve as policeman for the community of Belvedere.

Provided, further, that the Magistrate's Constable at Oak Grove (District No. 7) shall also serve as policeman for Oak Grove-Monetta area.

Total, Item 13	\$ 44,444.15
Item 14. Department of Public Welfare:	
Director's Salary	\$ 420.00
Chairman of Board	800.00
Three Supervisors @ \$240.00	720.00
Vice-Chairman of Board	700.00
Twelve Caseworkers @ \$120.00 each	1,440.00
Mileage, Child Welfare Workers	1,920.00
Five Stenographers @ \$120.00	600.00
Secretary of Board	700.00
Two Board Members	1,400.00
Emergency Drugs for indigent patients	3,500.00
Emergency Relief	1,500.00
Total, Item 14	\$ 13,700.00
Item 15. County Farm Agent:	
Salary, County Agent	\$ 400.00
Salary, Assistant County Agent	200.00
Stenographer for Agent	525.00

Boys' 4-H Club Work	150.00
Contingent Fund for Agent	25.00
<hr/>	
Total, Item 15	\$ 1,300.00
Item 16. County Home Agent:	
Salary	\$ 200.00
Stenographer for Agent and Assistant Agent ..	2,415.00
Contingent Fund for Agent	25.00
Girls' 4-H Club Work	150.00
Supplies, Home Demonstration Agent	150.00
<hr/>	
Total, Item 16	\$ 2,940.00
Item 17. Negro Farm and Home Agent:	
Salary, Negro Home Demonstration Agent	\$ 777.00
Demonstration Supplies (Agriculture Agent and Home Demonstration Agent)	100.00
Salary, Negro County Agent	410.00
Negro County Agent, Office Rent, Heat and Lights	276.00
Negro 4-H Club Work (Boys and Girls)	150.00
Telephone	120.00
Clerical Assistance, Negro Farm and Home Agents	1,200.00
<hr/>	
Total, Item 17	\$ 3,033.00
Item 18. Jurors and Witnesses:	
All expenses, if so much be necessary	\$ 25,000.00
<i>Provided</i> , that witnesses for the State in criminal cases shall be paid at the rate of \$3.00 per day and five cents per mile travel; <i>provided</i> , further, that any variation from this amount for expert testimony shall be only upon written approval of the Circuit Solicitor.	
<hr/>	
Total, Item 18	\$ 25,000.00
Item 19. County Health Department:	
Lump Sum Appropriation	\$ 58,000.00
D.D.T. Spraying Program	2,000.00
<hr/>	
Total, Item 19	\$ 60,000.00

Provided, that a final budget of combined county, State and Federal funds will be completed as soon after the first of July as possible, and a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.

Item 20. Aiken County Hospital:

All expenses\$125,000.00

Provided, that in the event the House Bill No. 1722 introduced by the Ways and Means Committee and presently pending in the South Carolina General Assembly should be enacted into law, which amends Act No. 238 of the Acts and Joint Resolutions of the General Assembly of 1959, which said amendment provides that there shall be withheld by the State Treasurer from the portion of the annual state income tax which is allotted to the counties a sum equal to 50¢ per capita based on the population of the several counties as shown by the 1960 Census of the United States, which, in effect increases the amount per capita withheld from 30¢ to 50¢, the above appropriation of \$125,000.00 shall be reduced by the additional amount that shall be withheld by the State Treasurer from Aiken County from the income tax by the amending of the act and by the withholding of 50¢ per capita rather than 30¢ per capita.

Total, Item 20\$125,000.00

Item 21. Post Mortems, Inquests and Lunacies:

All expenses\$ 1,000.00

Total, Item 21\$ 1,000.00

Item 22. Public Buildings:

Water, fuel, lights and insurance:

All expenses, if so much be needed\$ 17,500.00

Total, Item 22\$ 17,500.00

Item 23. Court Stenographer for Second Judicial Circuit.	\$ 300.00
Stenographer, Circuit Judge	600.00
Aiken County Civil Defense	500.00
Extra Clerical Help as needed—Magistrate, District No. 1 and Coroner, Base pay	2,200.00
Salary, County Attorney	1,323.00
County Audit, to be expended by Aiken County Commissioners and Supervisor	2,520.00
<i>Provided</i> , that the person employed for the County Audit shall be so employed for the fiscal year commencing July 1, 1961, and ending June 30, 1962, and so far as is practicable he shall maintain a current audit.	
Aiken County Library	36,600.00
Vital Statistics	600.00
Premium on Officers' Bonds	1,250.00
Aiken Soil Conservation District:	
Promotional Work and part time secretarial help	2,000.00
Rent for Negro Soil Conservationist	240.00
County Officers' Retirement Fund	10,000.00
Expenses, Solicitor, including telephone at courthouse	1,000.00
Court Crier and other attaches, \$12.00 per day for actual services during court sessions.	
Assistant Clerk of Court, \$16.00 per day for actual work.	
<i>Provided</i> , that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses.	
Assistant Rabies Control Officer, Salary, Base pay	3,953.25
Telephone for Rabies Office	60.00
Uniforms, Rabies Control	200.00
Expenses, truck, gas, etc., Rabies Control	500.00
South Carolina Industrial Commission Insurance, if so much be necessary	3,000.00
Expenses, County Forester	876.00
Supplement, County Forest Wardens, 4 @ \$40.00 per month	1,920.00

Supplement, County Forest Tractor Operators, 2 @ \$20.00 per month	480.00
Supplement, County Forest Ranger, 1 @ \$27.00 per month	324.00
Expenses, Probation Officer @ \$35.00 per month	420.00
Aid to Warrentville Armory	1,000.00
Telephone, Corporal, Highway Department ...	120.00
Sinking Fund Commission	2,000.00
Social Security	10,000.00
Insurance, Police Cars	1,661.86
Artificial Limb ($\frac{1}{4}$)	500.00
Aiken County Historical Commission	800.00
<hr/>	
Total, Item 23	\$ 86,948.11
Item 24. Burial of Paupers	\$ 500.00
<i>Provided</i> , that no person after the passage of this act who dies as a pauper shall be buried at what is commonly designated the County Poor Farm, but the supervisor and county commissioners are authorized, empowered and directed to bury such person in a recognized cemetery with such appro- priate interment rites as may be considered ap- propriate, and a quarterly report of all persons buried listing names and itemized funeral ex- penses shall be sent to the Aiken County Legisla- tive Delegation.	
<hr/>	
Total, Item 24	\$ 500.00
Item 25. Aiken County Commission for Higher Educa- tion	\$ 20,000.00
<hr/>	
Total, Item 25	\$ 20,000.00
<hr/>	
GRAND TOTAL	\$893,867.37
<i>Provided</i> , that as of the effective date of this act, the amounts hereinbefore designated as base pay shall be increased as follows:	
Retroactive to July 1, 1960, any employee of Aiken County not to include Magistrates, Con- stables, and/or elected officials, who is entitled	

to receive as compensation for service rendered a salary designated hereinbefore as base pay, and who, on or after July 1, 1960, shall have also completed at least ten years of service as an employee of Aiken County, shall receive as additional compensation an amount equal to ten per cent of the base pay salary hereinbefore designated for such position of employment. *Provided*, that any such employee who, on or after July 1, 1960, has completed at least five years of such service shall receive as additional compensation an amount equal to five per cent of such base pay salary. *Provided*, further, that in computing length of service for those employees of Aiken County engaged in law enforcement any and all prior service in law enforcement performed in Aiken County by such persons in the course of employment by the State of South Carolina or any political subdivision thereof, shall be considered as prior service performed while an employee of Aiken County.

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify; and

Provided, that a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners may together by written authorization direct the transfer of any general fund monies in excess of the appropriations hereinbefore made from said General Fund of Aiken County for application to unforeseen emergency situations which might arise in connection with the conduct of the affairs of Aiken County.

Provided, all such written authorizations, whether heretofore or hereafter made, are hereby ratified, but such shall not be valid until a copy of same be filed with the clerk of court. *Provided*, fur-

ther, that no such written authorization providing for the expenditure of funds shall be made except in cases of emergency and then only in a meeting held by the entire delegation.

Provided, no alterations of the act shall be made by anyone during the year 1961-1962 not herein expressly provided for, and any expenditures in excess of amounts herein provided, if made without the prior written approval of a majority of the Aiken County Delegation, including the Senator, shall be the personal responsibility of the department head concerned, and shall *ipso facto* constitute sufficient cause for the removal from office, with forfeiture of pay, of such department head.

Less Estimated Revenue other than Taxes:

Delinquent Taxes from Tax Collector	\$ 55,000.00
Fines, Licenses, Fees and Miscellaneous	126,000.00
Gasoline Tax	195,000.00
Insurance License Fees	45,000.00
Alcoholic Liquor Tax	55,000.00
Beer and Wine Tax	13,000.00
Income Tax	70,000.00
Bank and Broker's Tax	6,089.82
County Service Officer	5,100.00
Tax Collector's Cost	3,855.82

Total Revenue Other Than Taxes	\$574,045.64
--------------------------------------	--------------

\$319,821.73

PART II

Permanent Provisions

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent law of the State of South Carolina, and therefore Aiken County, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the present Code.

SECTION 2. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary shall, immediately upon such death, resignation or discharge, be transferred to the general fund, and no payment on such lapsed appropriation shall be made until and unless a new salary schedule shall be provided from the general fund not to exceed the amount herein appropriated for such official or salary of county employee, by a majority of the Aiken County Legislative Delegation, including the Senator.

SECTION 3. Sick leave not to exceed ten days per year and paid vacations not to exceed two weeks per year shall be granted county employees at the discretion of department heads, and no other time off shall be allowed except for legal holidays specified in the Code of Laws of South Carolina, 1952, as and if amended.

SECTION 4. No bills or claims against Aiken County for supplies purchased or services rendered shall be approved by the supervisor unless such bills or claims shall be approved for payment and no voucher shall be issued for same unless such bills or claims are properly itemized, showing the supplies or article purchased and by whom and the services rendered with the proper dates of such purchases and rendering of such services and duties. All bills over twenty-five dollars must be subscribed and sworn to before a Notary Public or other person authorized to administer oaths.

SECTION 5. The Aiken County Library Board is given power to enter into contracts and agreements with other county library boards of the State and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor and the efficient use of same in the establishing and improving of public library service. *Provided*, however, that in making such contracts the parties thereto shall not exceed in obligation assumed the funds available or to become available for the accomplishment of the objects sought, nor shall the credit of the State or any political subdivision be pledged in the absence of statutory authority.

END OF PART II

All acts or parts of acts inconsistent herewith are repealed.

This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R305, H1702)

No. 469

An Act To Authorize The Board Of Directors Of The Allendale County Hospital And The Treasurer Of The County To Borrow Not Exceeding One Hundred Thousand Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Allendale County Hospital may borrow money.—The Board of Directors of the Allendale County Hospital and the Treasurer of Allendale County are hereby authorized to borrow not exceeding one hundred thousand dollars for hospital purposes. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the board of directors and the treasurer. The note or notes shall bear interest at four and one-half percent per annum from the date thereof, interest to be paid annually, and shall be payable in ten equal annual installments, with the right to anticipate payment thereof at any annual interest-bearing period.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Allendale County shall levy, and the Treasurer of Allendale County shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Notes exempt from taxes.—The principal and interest on all notes issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of April, 1961.

(R669, H1849)

No. 470

An Act To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, And Ending June 30, 1962; To Provide For The Expenditure Thereof; To Provide For The Amount Of Fees And Expenses To Be Allowed For County Offices; To Provide For The Fees To Be Charged By The Clerk Of Court; And To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Lands And Delinquent Tax Executions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Allendale County is hereby directed to levy a tax upon all the taxable property of Allendale County for the fiscal year 1961-1962, in a sufficient number of mills to provide for the payment of the items and expenditures hereafter set forth.

SECTION 2. The following amounts are hereby appropriated for the fiscal year 1961-1962:

(A) Roads and Bridges:

(1) Chain gang and maintenance of road work, salary of guard, material, lumber, and all ex- penses, repairs of roads and bridges	\$ 17,000.00
(2) Salary—chain gang supervisor	3,000.00
	<hr/>
	\$ 20,000.00

(B) Salaries:

(1) Clerk of Court	\$ 1,600.00
Expenses	300.00
(2) Sheriff	5,600.00
Expenses	1,800.00
Deputy Sheriff	4,200.00
Expenses	1,200.00
Police Radio Operator	600.00

Provided, that the Deputy Sheriff shall be appointed by the Sheriff and shall serve at the pleasure of the Sheriff. *Provided*, that the salary and other compensation herein fixed for the Sheriff's office is intended for and shall be in lieu of all

fees to which he is entitled under the law from the county for any and all services performed by him of whatever nature or kind. In the event he travels out of the county by way of train, plane or bus, he shall be allowed actual train, plane or bus fare, and actual cost of meals and lodging.

(3) Treasurer	1,600.00
Expenses	300.00
(4) Auditor	1,600.00
Expenses	300.00
(5) Judge of Probate	1,600.00
Expenses	300.00
<i>Provided</i> , that the salary for the Judge of Probate is in lieu of all fees to which he is entitled under the law from the county.	
(6) Superintendent of Education—Expenses, 1961-1962	1,200.00
<i>Provided</i> , that the county board of directors is hereby directed to transfer in a lump sum the appropriations for the county superintendent's office to the county board of education fund. The purpose of this transfer is to put the county superintendent's salary and expenses on the school payroll rather than the county payroll.	
(7) Attorney—retainer	400.00
<i>Provided</i> , the county attorney shall advise the tax collector, when called on, in all matters pertaining to the collection of delinquent taxes.	
(8) Coroner	600.00
<i>Provided</i> , that the salary herein provided for coroner shall be in lieu of all fees to which he is entitled from the county for any service whatsoever.	
(9) Tax Collector—salary and expenses	1,800.00
(10) Courthouse Stenographer	2,600.00
(11) Janitor for Courthouse and Memorial Building @ \$135.00 per month	1,620.00
<hr/>	
\$ 29,220.00	

(C) County Health Department:

(1) Expenses, County Health Nurse	\$ 360.00
(2) Operating expenses	3,224.00
(3) T. B. Inspection Work	400.00
	<hr/>
	\$ 3,984.00

(D) Magistrates and Constables:

Magistrates:

Allendale and Bull Pond	\$ 1,200.00
Fairfax	1,200.00
Baldock Township	600.00
Millette Township	600.00
Wilson Township	600.00
Sycamore Township	600.00

Constables:

Allendale and Bull Pond	900.00
Fairfax	900.00
Millette Township	300.00
Baldock Township	300.00
Wilson Township	240.00
Sycamore Township	240.00

\$ 7,680.00

Provided, the salaries herein appropriated for magistrates and constables are in lieu of all fees payable by the county to which they, or either of them, be entitled; *provided*, further, magistrates and constables shall give bonds in the sum of five hundred dollars, conditioned upon the faithful performance of their duties, and the premium thereon paid out of the County Contingent Fund.

(E) County Boards:

(1) Board of Equalization	\$ 250.00
(2) County Board of Directors, four at thirty-five dollars per month	1,680.00
Clerk to County Board of Directors—salary ...	2,400.00
Expenses	1,200.00

Provided, that the person filling the above position shall be required to give a surety bond in

the sum of one thousand dollars, premium on
same to be paid by the county.

	\$ 5,530.00
(F) Jail:	
(1) Expenses, dieting of prisoners and maintenance	\$ 8,000.00
(2) Jailor, salary	1,500.00
	\$ 9,500.00
(G) Court Expenses:	
(1) Jurors and witnesses, and Sheriff's fee for notice	\$ 1,200.00
	\$ 1,200.00
(H) Department of Public Welfare, if so much be necessary	\$ 1,500.00
	\$ 1,500.00
(I) Public Buildings, including water, fuel, light and insurance, if so much be necessary	\$ 6,000.00
	\$ 6,000.00
(J) Printing, Postage and Stationery, Telephone and Telegraph	\$ 5,000.00
	\$ 5,000.00
(K) County Hospital, if so much be necessary	\$ 10,000.00
	\$ 10,000.00
(L) Miscellaneous:	
(1) Vital Statistics	\$ 280.00
(2) Publishing Monthly Report	300.00
(3) Rent, Government Farm Office	180.00
(4) Premium on bonds, including constables	700.00
(5) Post mortems, Inquests and Lunacies	800.00
(6) Regional Library	2,738.16
(7) Fairfax Library	300.00
(8) County Library	800.00
(9) Girls'—Women's Short Courses	75.00
(10) Boys' 4-H Club	75.00

(11) Expenses, Home and County Demonstration Agent	150.00
(12) Clerk to Home Demonstration Agent—salary ..	1,340.00
(13) Clerk to Home Demonstration Agent—expenses ..	460.00
(14) Attendance Teacher Scholarship Fund	100.00
(15) Office Expense, County Farm Agent	150.00
(16) Expenses, Home Demonstration Agent (Colored)	480.00
(17) Retirement Contribution, Social Security and Police Retirement and Annuity	4,500.00
(18) Expenses, County Farm Agents	900.00
(19) Workmen's Compensation and Liability Insurance	700.00
(20) Service Officer, Office Expense	300.00
(21) Civil Defense	1,000.00
(22) Janitorial Supplies	300.00
	<hr/>
	\$ 16,628.16
(M) National Guard, if so much be necessary, as follows:	
(1) Maintenance	\$ 2,000.00
	<hr/>
	\$ 2,000.00
(N) Audit of county funds, including Magistrates	\$ 1,550.00
	<hr/>
	\$ 1,550.00
(O) Contingent Fund	\$ 10,000.00
	<hr/>
	\$ 10,000.00
(P) Allendale County Schools, to replace funds used for building improvements	\$ 12,000.00
	<hr/>
	\$ 12,000.00
GRAND TOTAL	\$141,792.16
LESS ESTIMATED REVENUE OTHER THAN TAXES:	
Commutation Road Tax	\$ 2,000.00
Fines and Licenses	15,000.00
Income Tax	14,000.00
Gasoline Tax	45,000.00

Ordinary Levy	1,000.00
Liquor Tax	8,000.00
Beer and Wines	2,000.00
Insurance, Bank and Miscellaneous	4,500.00
Cost of Tax Executions	1,000.00
<hr/>	
Total Estimated Revenue	\$ 92,500.00
<hr/>	
Amount to be raised by Taxation	\$ 49,292.16

SECTION 3. The amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two dollars per person subject to such tax. Persons actually in the armed service of the country shall, during such service, be exempt from payment of such road tax.

SECTION 4. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission, under tax sale, shall be paid by the treasurer on warrants of the county board, approved by the county delegation, out of any funds available therefor; *provided*, that the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses, and, if such claims are paid from funds not so realized, then all amounts paid from the general county fund shall be replaced from sales of land when made by the Forfeited Land Commission.

SECTION 5. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for; *provided*, that any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the legislative delegation.

SECTION 6. In anticipation of the collection of taxes herein provided for, the county board of directors and the treasurer, with the approval of the legislative delegation, are authorized and empowered to borrow on the credit of the county such sums as are necessary to carry out the provisions of this act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the county board of directors, attested by the clerk of such board.

SECTION 7. The sheriff is authorized to empower such trusty convict labor as he may deem desirable in the care and maintenance of the county jail and premises. The county board of directors is hereby authorized to repay all municipalities of the county for chain gang labor received through the courts of such municipalities by work of the county chain gang upon the streets and drainage of such municipalities. *Provided*, that such municipalities shall pay for the dieting of all prisoners while so engaged in work upon the streets or drainage of such municipalities, and shall be liable for any damage to persons or property caused by the use of such convict labor and machinery, and the county shall not in any way be responsible for such damage.

SECTION 8. Whenever it shall be necessary to meet the expenses of foreclosing of any real estate mortgage owned by or pledged with the county, or to buy in such property on behalf of the county, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund, or restored to the contingent fund, in the discretion of the legislative delegation. Such property may be sold by the county board on the written approval of the legislative delegation, the proceeds of sale to be applied to such account or placed in such fund as the legislative delegation may direct, or as provided in Section 4 of this act.

SECTION 9. The legislative delegation is hereby granted full power and authority to appropriate such additional sums as in its discretion may be deemed necessary for any purpose not herein provided.

SECTION 10. The fee that may be charged by the Clerk of Court for Allendale County for the recording, filing, indexing, and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality, or officer thereof, shall be one dollar (\$1.00); *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. Allendale County is specifically

excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303, Code of Laws of South Carolina, 1952; *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgages, the Clerk of Court of Allendale County may charge an additional fee of twenty-five cents (25¢), when he is required to search the records before recording any such mortgage.

Provided, further, that notwithstanding Section 27-52, Code of Laws of South Carolina, 1952, in Allendale County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00.

SECTION 11. All supplies of every kind and nature needed by the county officers and employees of Allendale County shall be purchased by the purchasing agent of the county. Supplies purchased in violation of the provisions of this act shall be the liability of the individual so purchasing, and shall not be the liability of the county.

SECTION 12. It shall be unlawful for the County Directors of Allendale County to issue any voucher for the salary of any officer herein provided for before the end of the month that such officer is entitled to receive such salary. All salaries are to be paid on a monthly basis.

SECTION 13. Before the county directors shall issue a voucher to any magistrate of Allendale County for his salary, such magistrate shall present his docket to the county board of directors, showing the disposition of all cases handled by him during each month, and also present to the county directors a receipt or receipts from the county treasurer for all fines imposed by such magistrate.

SECTION 14. The Forfeited Land Commission for Allendale County is hereby authorized, empowered and directed to rent all property owned and held by the Forfeited Land Commission of Allendale County and pay the proceeds of all rents so collected to the county treasurer in accordance with the provisions of law now existing, and no fees shall be charged for such services by the Forfeited Land Commission nor by the tax collector.

SECTION 15. The sums herein appropriated as compensation for the county board of directors shall be in lieu of any expense which they incur in inspection of the various county roads, which inspections shall be made semimonthly by the directors.

SECTION 16. Of the amount appropriated as salaries for municipal law enforcement officers and county law enforcement officers in Allendale County, the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 17. The Treasurer of Allendale County is hereby authorized and directed to transfer any surplus funds in the School Bond Account to the General School Fund Operating Account.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R195, H1470)

No. 471

An Act Providing For The Creation Of Watershed Conservation Districts In Anderson County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context :

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Anderson Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Anderson County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed Conservation Districts may be formed in Anderson County.—Authority is hereby granted to form watershed conservation districts within Anderson County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be

given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall

consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Anderson County. *Provided*, that notwithstanding any provision of law to the contrary the power of eminent domain shall not be exercised over the protest of any landowner until it is conclusively established that the land proposed to be condemned is absolutely essential to the creation and operation of the soil conservation district.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of _____ Watershed Conservation District”

“Against creation of _____ Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed

by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Anderson County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five

or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.

—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are

to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Anderson County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Anderson County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the ex-

istence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed con-

servation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Anderson County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Anderson Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Anderson County.

SECTION 20. Not to affect Act 933 of 1960.—This act shall not affect or in any way alter or amend Act No. 933 which authorized the creation of Broadmouth Creek Watershed Conservation District.

SECTION 21. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 22. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R243, S268)

No. 472

An Act To Declare That The Condition Precedent Imposed By Act No. 927 Of The Acts Of 1960, Relating To The Holding Of An Election In School District No. 2 Of Anderson County, Has Been Satisfactorily Met, To Confirm The Authorization For The Issuance Of Bonds By The School District Pursuant To Act No. 927 Of 1960, And To Modify The Maturity And Redemption Requirements Of Bonds To Be Issued Pursuant To The Act.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County School District 2—bond issue election validated.—The General Assembly takes note of the fact that by Act No. 927 of the Acts of 1960 it authorized the Trustees of School District No. 2 of Anderson County to issue two hundred thousand dollars of general obligation bonds of School District No. 2 of

Anderson County, the State of South Carolina, if the election prescribed by the act resulted favorably to the issuance of the bonds. In and by Section 2 of the act it was directed that the election be held on April 12, 1960, and by Section 3 of the act it was provided that notice thereof be given ten days prior thereto. The election was duly held on April 12, 1960, but the notice thereof, prescribed by Section 3, could not be given by reason of the fact that Act No. 927 of 1960 did not become effective until April 6, 1960. Notwithstanding, the election was given much publicity and a large vote turned out. The election resulted favorably to the issuance of the bonds by a vote of 703 to 369, by reason of which fact the General Assembly has determined that the will of the electorate has been fairly tested. On that basis it has determined to remove the condition precedent imposed by Act No. 927 and to authorize the Board of Trustees of the School District to avail themselves of the authorizations of Act No. 927, notwithstanding the irregularity spoken of.

The General Assembly has further determined to modify the maturity and redemption provisions set forth in Section 6 so as to permit the bonds authorized by Act No. 927 to mature over a longer period of time than the ten-year period provided for by Section 6 of Act No. 927.

SECTION 2. No further election necessary.—The General Assembly declares that the condition precedent imposed to the issuance of bonds in the form of the requirement that an election be held in the district has been satisfactorily met and that bonds may be issued pursuant to Act No. 927, as hereafter amended, without the further holding of any election and without the necessity of filing the results thereof as prescribed by Section 4 of Act No. 927.

SECTION 3. Section 6 of Act 927 of 1960 amended—maturity—redemption—interest—dates—Section 6 of Act No. 927 of 1960 is hereby amended to read:

“Section 6. The bonds shall be issued as a single issue. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment shall fall due not later than twenty years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board of trustees, contain a provision permitting its redemption at such premiums as the board shall prescribe. The bonds shall be of such denomination, shall bear such

rate or rates of interest as the board of trustees may determine, and be payable on such occasions as the board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Anderson County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board of trustees may prescribe. They shall bear such date or dates and be payable at such place or places as the board of trustees may likewise prescribe."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R421, H1802)

No. 473

An Act To Authorize The Treasurer Of Anderson County To Transfer Two Hundred Fifty Thousand Dollars From The Road Bond Retirement Account To The General Fund Of The County; To Authorize The County Treasurer To Make Two Hundred Fifty Thousand Dollars Immediately Available To The Supervisor And Board Of Commissioners Of Anderson County To Be Used For Road Improvement And Purchase Of Equipment And To Provide For The Repayment Of This Advance.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County to transfer funds.—The Treasurer of Anderson County is authorized and directed to transfer two hundred fifty thousand dollars from the road bond retirement account to the general fund of the county.

SECTION 2. Use of funds.—The Treasurer of Anderson County is directed to make immediately available to the Supervisor and Board of Commissioners of Anderson County the sum of two hundred fifty thousand dollars, which sum shall be transferred from the general fund of the county. Two hundred thousand dollars of the sum shall be used for making immediate improvements to the roads in the

county and the remaining fifty thousand dollars shall be used for the purchase of road machinery.

SECTION 3. Payment.—Two hundred thousand dollars of the sum advanced by Section 2 of this act shall be chargeable to or repaid by any appropriations made for the fiscal year 1961-62 for road improvement and road, bridges and convicts.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R558, H1490)

No. 474

An Act To Make Appropriation For The Operating Expenses Of Anderson County For The Fiscal Year 1961-1962; And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient mills to pay the appropriations for Anderson County hereafter made for the fiscal year beginning July 1, 1961, and ending June 30, 1962, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, is hereby levied upon all the taxable property of Anderson County. The amount of millage shall be determined by the county auditor and approved by a majority of the Anderson County Legislative Delegation, including the Senator.

SECTION 2. There is hereby appropriated for Anderson County for the fiscal year beginning July 1, 1961, and ending June 30, 1962, the following sums of money to be expended for the purposes herein set forth subject to the provisions contained in this act in amounts as follows :

ITEM A. Roads, Bridges, Convicts and Road Improve-	
ment	\$410,000.00
	<hr/>
	\$410,000.00

ITEM B. Public Buildings:

(1) Salary of Courthouse Janitor	\$ 2,666.75
(2) Utilities, maintenance Supplies, and Property Insurance	25,225.00
	<hr/>
	\$ 27,891.75

ITEM C. County Jail:

(1) Jailors (6)	\$ 16,920.00
(2) Jail Expense	15,000.00
(3) Maintenance Man	4,452.00
(4) Matron	2,756.00
(5) Cook	3,031.60
	<hr/>
	\$ 42,159.60

ITEM D. Probate Judge:

(1) Probate Judge	\$ 5,300.00
(2) Clerk	3,128.48
(3) Assistant Clerk	2,435.88
	<hr/>
	\$ 10,864.36

ITEM E. Public Offices:

(1) Books, Stationery, Insurance, etc.	\$ 20,000.00
(2) Workmen's Compensation Insurance	3,725.00
(3) Retirement for County Employees	12,750.00
(4) Social Security	13,500.00
(5) Exchange Charges	200.00
	<hr/>
	\$ 50,175.00

ITEM F. Education:

(1) Superintendent of Education	\$ 1,325.00
	<hr/>
	\$ 1,325.00

ITEM G. County Health Department	\$ 75,000.00
	<hr/>
	\$ 75,000.00

ITEM H. Clerk of Court:

(1) Clerk	\$ 5,300.00
(2) Clerks: 2 @ \$3,122.12—1 @ \$2,589.79— 4 @ \$2,435.88	18,577.56
	<hr/>
	\$ 23,877.56

ITEM I. Office of Sheriff:

(1) Sheriff	\$ 5,300.00
(2) Twelve Deputies	40,144.32
(3) Clothing Allowance, Deputies	9,000.00
(4) Travel Expense	12,000.00
(5) Deputy to serve criminal papers Salary	3,345.36
(6) Two Deputies to serve civil papers Salary ..	6,690.72
(7) Clerical Help	2,435.88
(8) Miscellaneous	1,000.00
(9) Radio Engineer's Salary	1,908.00
(10) Radio Supplies	4,000.00
	<hr/>
	\$ 85,824.28

ITEM J. Treasurer's Office:

(1) Treasurer	\$ 2,120.00
(2) Assistant Bookkeeper	3,015.91
(3) Bookkeeper	3,943.20
(4) Two Clerks @ \$2,544.00	5,088.00
	<hr/>
	\$ 14,167.11

ITEM K. Auditor's Office:

(1) Auditor	\$ 2,120.00
(2) Travel	100.00
(3) Clerks: 1 @ \$3,943.20—1 @ \$2,862.00— 3 @ \$2,544.00	14,437.20
(4) County Board of Equalization	6,000.00
	<hr/>
	\$ 22,657.20

ITEM L. Tax Collector's Office:

(1) Tax Collector	\$ 3,732.37
(2) Deputy	2,743.70
(3) Travel for Tax Collector, Field Work	600.00
(4) Clerk	2,435.88
	<hr/>
	\$ 9,511.95

ITEM M. Supervisor's Office:

(1) Supervisor	\$ 5,300.00
(2) Stenographer	2,743.70
(3) County Commissioners (5 @ \$826.80)	4,134.00
(4) Travel for Commissioners (\$35.00 per month) ..	2,100.00
(5) Clerk	3,943.20

(6) County Engineer	3,943.20
(7) Hartwell Road Litigation	5,000.00

\$ 27,164.10

ITEM N. Judicial:

(1) County Attorney	\$ 530.00
(2) Coroner—Salary	1,855.00
Travel	480.00

(Total Coroner \$2,335.00)

(3) Magistrates:

Earle M. Rice, or successor, Anderson	
Salary and expense	6,000.00
Bruce Davis, or successor, Anderson	2,925.60
James C. Callahan, or successor, Anderson ..	2,925.60
W. P. Kay, or successor, Belton	1,187.20
Max Hunt, or successor, Townville	667.80
J. W. Holliday, or successor, Pendleton	1,187.20
Johnny Devore, or successor, Honea Path ..	667.80
John Patterson, or successor, Williamston ..	667.80
Henry O. Thompson, or successor, Pelzer ...	667.80
Harry Reid, or successor, Piedmont	784.40
D. L. Young, or successor, Iva	540.60

(Total Magistrates \$18,221.80)

(4) Constables	14,000.00
(5) Court Expenses	25,000.00
(6) Solicitor's Office—10th Judicial Circuit:	
a. Solicitor—expense allowance	300.00
c. Secretary—salary	2,575.80

(Total Solicitor \$2,875.80)

(7) Juvenile Relations:

a. Youth Counselor, salary	3,816.00
b. Travel Allowance	1,500.00
c. Asst. Youth Counselor	3,180.00
d. Travel Allowance	1,200.00
e. Clerk	2,435.88

(Total Juvenile Relations \$12,131.88)

(8) Parole Office Secretary—Supplemental 222.60

\$ 75,317.08

ITEM O. Agriculture:

(1) County Agent's Office:

a. County Agent's Salary	\$ 636.00
b. Assistant County Agent	254.40
c. County Agent, Secretary and Salary	1,000.43
d. Assistant Home Agent	2,924.33
e. Home Agent, Secretary and Salary	900.39
f. Negro Farm Agent	1,060.00
g. Negro Home Agent	1,336.24
h. Negro Home and Farm Agent Secretary	2,369.10
i. County Agent, Telephone and Supplies	550.00
j. Home Agent, Telephone and Supplies	350.00
k. 4-H Club Boys' Camp	150.00
l. 4-H Club Girls' Camp	150.00
m. F.F.A. Camp	100.00
n. J.H.A. Camp	100.00
o. Negro Farm and Home Agent, Telephone and Supplies	300.00
p. Negro 4-H Club Boys' Camp	125.00
q. Negro 4-H Club Girls' Camp	75.00
r. Free Breeding, 4-H and FFA Clubs	1,000.00
s. F. A. Foundation	300.00

\$ 13,680.89

ITEM P. Health and Welfare:

(1) County Physician	\$ 3,180.00
(2) Birth and Death Registration (Mrs. King, et al)	1,560.00
(3) Welfare Department:	
a. Supplemental Salaries	5,851.20
b. Emergency Relief Fund	1,000.00
c. Child Welfare Worker—Travel	720.00
d. Foster Children Fund	325.00
e. Welfare Board per diem	720.00
f. Telephone and Telegraph	1,000.00

(Total Welfare \$9,616.20)

(4) Charity—Anderson County Charity Fund .. 36,000.00

(Total Charity \$36,000.00)

(5) Anderson County Tuberculosis	1,200.00
(6) Salvation Army	1,200.00
(7) County Home	30,000.00
(8) Transportation to State Hospital	1,350.00
(9) Post Mortems and Lunacy	1,500.00

\$ 85,606.20

ITEM Q. Miscellaneous:

(1) Legislative Secretary	\$ 300.00
(2) Anderson Soil Conservation District	1,200.00
(3) Service Officer—Supplemental	975.20
(4) Annual Audit of County Books	1,200.00
(5) Broadway Lake Commission	10,000.00
(6) National Guard Units:	
a. Battery D 6th ADA Bn. (Sp.) 118th CAR, or successor	750.00
b. Hq. and Hq. Battery 6th ADA Bn (SP) 118th CAR, or successor	750.00
c. 116th Signal Company Sub-Div. (Williamston) or successor	750.00
d. 116th Signal Company (Belton) or successor	750.00

(Total National Guard \$3,000.00)

(7) Planning and Development Board for Sta- tionery, Postage and Supplies	150.00
(8) Anderson Squadron of Civil Air Patrol for Building	250.00
(9) Civil Defense	1,000.00

\$ 18,075.20

ITEM R. Approved Accounts:

Negro Farm Agents Telephone\$ 300.00

\$ 300.00

ITEM S. Contingent Fund	\$ 50,000.00
	<hr/>
	\$ 50,000.00

GRAND TOTAL\$1,043,597.28

ITEM T. Revenue other than property taxes
(estimated):

(1) Fines, and Costs (Magistrates)	\$ 62,284.61
(2) Fines, Licenses and Fees, Clerk of Court	58,316.28
(3) Fees, Auditor	869.25
(4) Fees, Probate Judge	5,292.27
(5) Fees and Taxes, Tax Collector	34,291.14
(6) Fees, Sheriff	4,755.80
(7) Fees, Supervisor	8,000.00
(8) Gasoline Tax	220,000.00
(9) Income from State	90,000.00
(10) Insurance Commission	50,000.00
(11) Beer, Wine and Liquor Tax	80,000.00
(12) Bank Tax	10,000.00
(13) Miscellaneous	5,000.00
	<hr/>
	\$628,809.35

Estimated amount to be raised by Property
tax\$414,787.93

SECTION 3. The accounts as set forth in Section 2 shall be subject to the following provisos:

ITEM A.—From this account the county board of commissioners is authorized to pay to the supervisor the estimated actual expenses of the supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts, not to exceed twelve hundred dollars in accordance with the terms of Section 4 of this act.

No employee paid from this account shall receive more than two hundred eighty-five dollars and seventy-eight cents per month except that the captain of the white stockade shall not receive more than three hundred forty-four dollars and fifty cents per month.

All truck insurance shall be paid from this account.

Two hundred thousand dollars of the appropriation made for Roads, Bridges, Convicts and Road Improvements as provided in Item A of Section 2 shall be transferred to the Road Bond Retire-

ment Fund as repayment of an advance, or to the general fund of the county as repayment of an advance.

ITEM B—(2) Unless specifically provided elsewhere in this act, the county shall pay for telephone service only on telephones installed in the public offices in the courthouse, in the county jail, in the homes of fifteen deputy sheriffs, in the homes of six jailors and the sheriff, with their telephones listed in their names, in the vault of the clerk of court's office, in the County Home, one at each convict camp, one in the home of the coroner, one in the office used by the State Tax Commission, one in the office of the Registration Board, one each for two probation officers, one for the Youth Council, one for the Assistant Youth Council, one for County Repair Shop, one for Sergeant of White Convict Camp and one for Sergeant of Negro Convict Camp, and it shall not pay for extension telephones at such places, and shall not pay for any long distance calls other than those personally authorized by the Supervisor, or the Sheriff.

ITEM C—(2) From this account the Sheriff of Anderson County shall pay only the actual operating expense of the county jail and the dieting of prisoners, and no part of this fund shall be used to supplement any salaries and such expense shall be paid by the Anderson County Treasurer upon claims approved by the Supervisor of Anderson County. *Provided*, that any charges made in compromising a case or any meals served to a federal prisoner shall be at the maximum rate prescribed by law; *provided*, further, that the sheriff is authorized to spend an amount not to exceed five dollars and mileage in any one case from the dusting and photographing of fingerprints.

ITEM E—(1) From this account the supervisor or other proper county officer is hereby authorized to pay the premium on the official bonds required of the twelve deputy sheriffs of Anderson County, and of the three deputies to serve magistrates in the City of Anderson, the jailor, and the clerks in the office of the county treasurer and tax collector. The supervisor or other proper county officer is also authorized to pay the premiums on burglary or theft insurance upon funds in the custody of the Treasurer of Anderson County.

The county quarterly report as provided by law, shall be printed in a newspaper of Anderson County and the expense therefrom shall be paid from this account. A complete report shall be filed with the clerk of court which shall be available to the general public.

ITEM G—From the funds appropriated for use by the Anderson County Health Department in Item G of Section 2 the meat inspector

of Anderson County shall receive a fifty dollars per month additional travel allowance for the purpose of making daily inspection of meat plants within the county.

ITEM I—(6) The officers holding these positions shall charge the same fees as now provided by law and shall make monthly reports thereof to the Treasurer of Anderson County through the office of the Sheriff and deposit such collected fees with the treasurer, who shall place the money in the General Fund of Anderson County.

ITEM K—(4) From this account the county supervisor is hereby directed to pay the members of the Township Boards of Assessors immediately upon completion of their work being certified to by the county auditor.

ITEM N—(3) The fees to be collected by any officer of Anderson County for the County General Fund shall be as follows: Distress for Rent, \$2.00; Rule to show cause in Ejectment, \$1.00; Warrant of Ejectment, \$1.00; Summons for Debt, including transportation and judgment, \$1.00; Attachment, \$3.00; Claim and Delivery, \$2.00; all Warrants settled by Magistrates, \$2.00, except warrants settled for bad checks, \$4.00, plus seven cents per mile round trip and jail fees of \$1.00 per day while in jail. The Magistrate's fees shall remain the same.

ITEM N—(4) From this account, the supervisor and board of county commissioners are hereby authorized to pay the Anderson County Deputy Sheriffs located at mills the sum of \$84.80 per month. The same number of deputy sheriffs shall serve the respective industrial communities as are now employed irrespective of the number allowed by permanent law unless the aforesaid officials be authorized to employ additional deputies by a majority of the legislative delegation, including the Senator.

ITEM N—(5) From the sum appropriated under Item N (5), designated as "Court Expenses", there shall be paid unto the Grand Jurors, Petit Jurors, and Bailiffs in Circuit Court the sum of seven dollars per day. Grand Jurors and Petit Jurors shall in addition to the aforesaid sum receive ten cents per mile for one round trip from their home to the Anderson County Courthouse for the term for which they are drawn to serve and all witnesses appearing in any criminal case under subpoena for attendance thereat shall receive the sum of one dollar per day and mileage as is hereinabove fixed for the Jurors. In the Special Magistrate's Court pay for jurors and witnesses shall be at the rate of three dollars per day and pay for two

stenographers in an amount not to exceed the sum of two hundred twenty-eight dollars and sixty-four cents per month each. Pay for the jurors in ordinary magistrate court of Anderson County shall be two dollars per day.

For the services as jurors in the coroner's inquests each person so drawn and who serves shall receive compensation in the sum of two dollars for each inquest, to be paid out of this account.

ITEM O—(1) —r. This account is to provide for free breeding for any one member of the Anderson County 4-H Club or Anderson County Future Farmers of America.

ITEM P—(2) This account shall be used to pay the various Registrars in Anderson County the sum of twenty-five cents each for each birth and/or death reported and also Registrar shall receive the sum of \$26.50 to be paid in semiannual installments of \$13.25.

ITEM P—(3)—b. This account shall be paid to the County Welfare Department and the treasurer is hereby directed to pay over to the County Public Welfare Department the entire sum of one thousand dollars. At the end of each quarter, the Department of Public Welfare shall file a statement of the expenditures of this fund with the county supervisor in duplicate.

ITEM P—(4) The funds appropriated under Section P—(4) shall be expended upon the approval of a majority of the Anderson County Board of Welfare, which Board is hereby designated the Anderson County Hospital Charity Certification Office and this board shall on July 1, 1961, receive all records pertaining to Charity Certification. All proceeds received from accounts previously paid out of charity funds shall be deposited with the Treasurer of Anderson County and such funds shall be added to the amounts appropriated under this section and expended in like manner as the original appropriations.

ITEM P—(9) From this account the supervisor and board of county commissioners are hereby authorized and directed to pay the costs of post mortems and lunacy examinations at the rate of pay provided by contract and approved by the supervisor. Payment herein provided for shall be made upon certification by the coroner as to post mortems and by the probate judge as to lunacy examinations.

ITEM Q—(4) This account shall be expended under the authorization of a majority of the county legislative delegation including the Senator.

ITEM Q—(5) From the sum appropriated, the members of the commission shall receive twenty dollars per diem for attending meetings of the commission not exceeding more than one meeting per month.

Provided, that the county supervisor is authorized and directed to clean the beaches of all debris once a year at low water.

ITEM R—The appropriations made under this item are for payment of items heretofore approved by the legislative delegation and the sums are to be credited back to the funds from which these items were paid.

ITEM S—This fund shall be used solely for payments of such sums and such purposes as may be directed by a majority of the Anderson County Legislative Delegation, including the Senator. This may be used during the fiscal year 1961-1962.

SECTION 4. All sums paid for travel shall be upon sworn vouchers at the rate of seven cents per mile, and such sums shall not exceed the amounts appropriated in each case for travel. Claims for mileage shall be for actual miles traveled in the performance of duty. No travel voucher may be paid unless a daily log of the amount of travel is produced showing the beginning and ending places of all trips and the number of miles traveled verified by the person claiming the travel allowance.

SECTION 5. Upon the estreating of any bond and upon the amount adjudged against the bondsmen being paid to the Clerk of Anderson County, before judgment is entered up in judgment roll, then in such event, the clerk is authorized to enter collection of the amount in his fine book and it shall not be necessary for the clerk to enter up judgment in customary judgment roll. He, however, shall file the papers connected with the estreating of the bond, along with the warrant, etc., in the case in which such bond was given.

SECTION 6. All salaries as set out in this act are intended as the annual salary of the person designated and are to be paid upon a bi-monthly basis of twenty-four installments to be paid on the fifteenth and last day of each month, for such time as such person shall be in actual service in their respective positions. All other items herein are to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation, but in no event shall a deficit be allowed in any appropriation made herein.

SECTION 7. The supervisor and county board of commissioners are hereby authorized and directed to equitably distribute road and highway improvements throughout Anderson County, including the incorporated municipalities therein, so that every section of the county shall receive work and improvement on roads, highways, and/or streets in the different localities of the entire county.

SECTION 8. It is hereby provided that no new highway or road or street shall be opened in Anderson County at the county's expense unless the opening of such highway, road or street is approved in writing by a majority of the county board of commissioners, including the supervisor, and they are hereby prohibited from opening any new street for private development.

SECTION 9. All monies appropriated and designated herein shall be for the purposes designated and any transfer of funds shall be approved by the Anderson County Delegation.

SECTION 10. Any funds now in the hands of the Treasurer of Anderson County, not heretofore or hereby designated to be used for some specified purpose, shall be held by the Treasurer of Anderson County in a fund to be known as the Anderson County Fund. Also, any funds coming into the hands of the county treasurer from any source provided by this act, not herein appropriated for some particular purpose, shall, at the close of the fiscal year covered by this act, be added to the Anderson County Fund as provided for in this section. The Anderson County Fund shall not be used for any purpose except upon the written authorization of the Senator of Anderson County and at least one-half of the members of the House of Representatives of Anderson County.

SECTION 11. All purchases by any county department shall have a purchase order signed by the department head.

SECTION 12. Out of the fines collected by the clerk of court of general sessions and paid over to the county treasurer, the county treasurer is hereby authorized to remit to the South Carolina Police Insurance and Annuity Fund such sums of money as may be due the fund under the South Carolina Law.

SECTION 13. All salaries paid partly by the State and partly by the county shall not exceed a total of five thousand three hundred dollars per year.

SECTION 14. An additional tax of one and one-half mills on the taxable property of Anderson County is hereby levied for public school purposes. Of this amount, an amount not greater than the revenue realized from the levy of one-half mill shall be used to pay the cost of free readers as now provided by law; *provided*, that all funds raised by the one and one-half mill levy above referred to, not above allocated or the expenditure thereof hereafter provided, shall be used in the payment of such public school costs in Anderson County as the county board of education may deem necessary; *provided*, that the amount of eight thousand dollars be allocated to the five districts on a per pupil basis for free lunches to children certified by their teachers as being unable to pay for them; *provided*, further, that from the amount received by the county board of education from the collection of the one and one-half mill tax not above allocated and from the collection of delinquent taxes and the sale of marriage licenses, the county board of education is hereby authorized and directed to pay the salary of the assistant superintendent of education in an amount within the discretion of the board. The estimated actual expense travel within the county by the superintendent of education not to exceed six hundred dollars per annum; *provided*, further, the county board of education is authorized to employ a supervisor of school bus transportation whose duties shall be under the direction of the county board of education and the county superintendent of education. The supervisor of school bus transportation shall be paid a salary in an amount within the discretion of the county board and the supervisor of school bus transportation shall be paid actual necessary travel in an amount not to exceed seventy-five dollars per month. He shall also be paid additional necessary travel in securing new bus equipment from the State; an amount not to exceed twenty-five hundred dollars for furnishing free textbooks to the poor pupils of the public schools of Anderson County, and the remainder received by the county board of education from the delinquent taxes shall be used for general school purposes; *provided*, further, that out of the money raised by the one and one-half mill levy provided herein, the county board of education is authorized to use a sum not to exceed nine thousand dollars for public school music in the schools of Anderson County under such a program as the county board of education, including the county superintendent of education, may deem proper and may employ the personnel to carry out such program within the sum allocated for this purpose; *provided*,

further, that no funds coming into the hands of the county board of education from any source, shall be used by the county superintendent of education and/or the county board of education to be distributed among the various districts of Anderson County as building aid; *provided*, further, the county board of education is authorized and empowered to expend a sum not exceeding five thousand dollars for adult education, the same to be paid out of general school funds; *provided*, further, that the secretary to Lunch Supervisor and Visiting Teacher shall receive two thousand five hundred seventy-five dollars and eighty cents yearly. *Provided*, further, that the secretary to the county superintendent of education shall receive two thousand eight hundred twenty dollars and sixty-six cents yearly. The county board of education is authorized to employ one assistant visiting teacher to assist in attendance problems at a salary of two hundred seventy-five dollars and sixty cents per month with necessary travel not to exceed forty dollars per month. *Provided*, further, that the members of the board of education shall receive ten dollars per diem for every meeting they actually attend not to exceed twelve meetings per year.

The appropriations made in this section are made for the benefit of the public schools in Anderson County and are made in lieu of any and all funds accruing to schools from the fines collected from the violation of any criminal laws of this State. The acceptance by the county board of education of any portion of the funds appropriated in this section shall be construed as a relinquishment of any right of the board and any of the schools in the county to receive any portion of any fines imposed for violation of any of the criminal laws; *provided*, further, that all materials and supplies used by the county board of education and in the office of the county superintendent of education in Anderson County shall be bought and paid for through the office of the county supervisor and board of county commissioners, as materials and supplies for other county offices are bought and paid for, as set forth in Item A.

It is hereby made a part of the duties of the Superintendent of Education of Anderson County to prepare and submit to the board of trustees of each school district in Anderson County a detailed statement at the end of the fiscal year, showing all claims approved for the preceding year made from funds of the respective school districts and to whom paid and for what purpose, along with a list of all revenues and from what source derived that have been credited

to the respective districts. The report shall also set forth the amounts of any funds left on hand by each of the districts, together with any outstanding indebtedness and the status of same.

SECTION 15. If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

SECTION 16. All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R29, H1086)

No. 475

An Act To Change The Name Of The Town Of Denmark In Bamberg County To The City Of Denmark.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Denmark changed to City.—The name of the Town of Denmark in Bamberg County is hereby changed to the City of Denmark.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R571, H1868)

No. 476

An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions Dur-

ing The Fiscal Year 1960-1961; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received by the trustees in operating the hospital during the fiscal year beginning July 1, 1961, and ending June 30, 1962. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1962, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is authorized and directed to investigate and make recommendations as to all such cases.

SECTION 2. The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in the County of Bamberg for ordinary county purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated:

Item 1. Roads and Bridges:

Convicts and maintenance of road-working organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; and salaries of chain gang foreman, guards and mechanic; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary . \$ 33,790.00

Total, Item 1 \$ 33,790.00

The supervisor shall deliver to each member of the Legislative Delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.

Item 2. Clerk of Court's Office:	
Salary of Clerk	\$ 1,883.00
Clerical Help	820.00
<hr/>	
Total, Item 2	\$ 2,703.00
Item 3. Judge of Probate's Office:	
Salary of Judge of Probate and Acting Master ..	\$ 1,883.00
Clerical Help	820.00
<hr/>	
Total, Item 3	\$ 2,703.00
In addition to the amount appropriated herein for the salary of the Clerk of Court and the Judge of Probate, they shall also retain all fees collected by their respective offices as now provided by law. <i>Provided</i> , the fee for each lunacy examination shall be \$10.00.	
Item 4. Auditor's Office:	
Salary of Auditor, \$4,323.00 less \$3,498.00 contributed by the State	\$ 825.00
Clerical Help	820.00
Travel Expense	300.00
<hr/>	
Total, Item 4	\$ 1,945.00
Item 5. Treasurer's Office:	
Salary of Treasurer, \$4,800.00 less \$3,498.00 contributed by the State	\$ 1,302.00
Clerical Help	343.00
Travel Expense	200.00
<hr/>	
Total, Item 5	\$ 1,845.00
Item 6. Sheriff's Office:	
Salary of Sheriff	\$ 3,723.00
Deputy Sheriffs, 2 @ \$3,198.00 each	6,396.00
<i>Provided</i> , that one deputy shall also act as constable for the magistrate at Bamberg.	
<i>Provided</i> , further, that one deputy sheriff shall be designated by the Sheriff to collect taxes and shall work at this for at least forty hours each and every week. A complete monthly report shall be filed with the County Legislative Delegation.	

tion and the Supervisor. The Supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.

Travel subsistence allowance—\$600.00 for the Sheriff and deputy sheriffs—to be paid on monthly basis	1,800.00
Gas, oil and upkeep of two cars owned by county and used by the Sheriff and deputy sheriffs, if so much be necessary	1,600.00
To purchase uniforms for Sheriff and deputies .	300.00
To purchase photo supplies, ammunition, etc., if so much be necessary, by approved vouchers .	200.00
For Radio repair and service	300.00

Total, Item 6\$ 14,319.00

Item 7. Superintendent of Education's Office:

Salary, \$4,372.50, all paid by State	
Clerical Help	\$ 660.00
For use of auto, maintenance and travel expense	480.00

Total, Item 7\$ 1,140.00

Item 8. Supervisor's Office:

Salary of Supervisor	\$ 2,620.00
Salary of Clerk	2,223.00
For use of auto, maintenance and travel expense	525.00
Two county commissioners @ \$419.76 each	839.52

Total, Item 8\$ 6,207.52

Item 9. Coroner's Office:

Salary of Coroner	\$ 466.40
For traveling expense and stenographic fees for taking and transcribing testimony	120.00

Total, Item 9\$ 586.40

Item 10. Jail:

Salary of Jailer	\$ 1,200.00
Jail expenses, including dieting of prisoners, if so much be necessary; <i>provided</i> , that the jailer shall be allowed one dollar a day for each prisoner	

(any city prisoner to pay county two dollars turnkey, and one dollar a day for dieting) 4,500.00

Total, Item 10 \$ 5,700.00

Item 11. Miscellaneous Salaries:

Attorney	\$ 466.40
Physician	466.40
Maid at Courthouse	551.20
Janitor for Courthouse	992.16
Clerical Help, School Lunch Supervisor	759.00
Clerical Help, Home Demonstration Agent's Office	840.00
Part Salary, Negro Home Demonstration Agent	672.00
Clerical Help, Negro Farm and Home Demonstration Agents	240.00

Total, Item 11 \$ 4,987.16

Item 12. County Boards:

Board of Education	\$ 400.00
Board of Equalization	600.00

Total, Item 12 \$ 1,000.00

Item 13. For the purchase of furniture and equipment for the various county offices, if so much be necessary, with expenditures from this appropriation to be first approved by the legislative delegation

to be first approved by the legislative delegation \$ 1,500.00

Total, Item 13 \$ 1,500.00

Item 14. Court Expenses \$ 3,320.00

Provided, that jurors and bailiffs shall be paid five dollars per day for services in attendance upon courts. The jury boy shall be paid three dollars per day for services in attendance upon courts. Jurors in magistrates' courts in criminal cases and jurors in coroner's court one dollar per day, to be paid upon warrants of the magistrates or coroner. *Provided*, further, that out of the funds herein appropriated for Court Expenses, the Resident Circuit Judge is hereby

authorized to use for stenographic services not to exceed the sum of \$820.00.

Total, Item 14\$ 3,320.00

Item 15. Magistrates' and Constables' Salaries:

Magistrate at Bamberg\$ 1,541.24

Constable at Bamberg (Deputy Sheriff acts as Constable).

Magistrate at Denmark 1,000.00

Constable at Denmark 530.00

Magistrate at Olar 583.00

Constable at Olar 381.60

Magistrate at Ehrhardt 583.00

Constable at Ehrhardt 381.60

Magistrate at Fishpond Township 482.30

Constable at Fishpond Township 321.80

Provided, that if the magistrates for the Towns of Bamberg, Denmark, Olar and Ehrhardt do not live in the respective towns, they shall establish office hours in the towns on Saturdays from 10 A. M. to 4 P. M., of each week, and be available during such time for official duties.

Total, Item 15\$ 5,804.54

Item 16. Welfare Department (State):

For Emergency Relief\$ 1,000.00

All cases receiving assistance from this fund to be approved by a majority of the board. *Provided*, that the director may approve cases needing immediate attention and in which suffering would result if assistance were delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A monthly report of all expenditures shall be made to the legislative delegation.

Total, Item 16\$ 1,000.00

Item 17. Public buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning

	materials and tools for buildings and grounds, and for repairs to county property	\$ 8,000.00
	Total, Item 17	\$ 8,000.00
Item 18.	Post mortems, inquests and lunacies	\$ 650.00
	Total, Item 18	\$ 650.00
Item 19.	Printing, Postage and Stationery	\$ 3,500.00
	<i>Provided</i> , that itemized bills for all expenditures out of this sum shall be filed with the County Supervisor before payment is made. <i>Provided</i> , further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.	
	Total, Item 19	\$ 3,500.00
Item 20.	County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department	\$ 5,589.00
	For Rabies Control	100.00
	Tuberculosis work in county	600.00
	Total, Item 20	\$ 6,289.00
Item 21.	Miscellaneous:	
	(a) Vital Statistics	\$ 225.00
	(b) Premium on Bonds	660.00
	(c) For auditing county books for 1960-1961	1,525.00
	(d) Boys' 4-H Work	75.00
	(e) Girls' and Women's 4-H Work	75.00
	(f) Negro Boys' 4-H Work	75.00
	(g) Negro Girls' and Women's 4-H Work	75.00
	(h) Demonstration Supplies for Home Agent	50.00
	(i) Demonstration Supplies and photographic material for Farm Agent, if so much be necessary	100.00
	(j) Bamberg Public Library	2,350.00
	(k) For Burial of Paupers	200.00

(l)	Rent for Federal Projects and for County Agencies, if so much be necessary	52.00
(m)	To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary	700.00
(n)	For retirement of county officers and employees, if so much be necessary	1,680.00
(o)	Social Security for county employees	1,560.00
(p)	(1) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard	1,500.00
(p)	(2) To purchase furniture and equipment for new National Guard Armory	500.00
(q)	Edisto Soil Conservation District, to be used for farm work in Bamberg County	500.00
(r)	To supplement salary of County Farm Demonstration Agent	500.00
(s)	Colored County Farm Demonstration Agent ..	200.00
(t)	Flowers and shrubbery for Bamberg County Hospital	100.00
(u)	Janitor for Health Department and Welfare Department, and to care for Courthouse and Library grounds under supervision of Health Department	900.00
(v)	Fertilizer and improvements for Courthouse and Library shrubbery	200.00
(w)	Official Expenses—Circuit Judge (to be paid upon warrant of Circuit Judge)	720.00
Total, Item 21		\$ 14,522.00
Item 22.	Contingent fund	\$ 10,000.00
	To be used only with the written approval of the Bamberg County Legislative Delegation.	
Total, Item 22		\$ 10,000.00
Item 23.	Bamberg County Planning and Development Board, to be paid upon vouchers approved by the chairman and secretary if so much be necessary .	\$ 250.00
Total, Item 23		\$ 250.00

Item 24. For annual expenses, maintenance and operation of the J. C. Kears Agriculture Building, if so much be necessary\$ 3,675.00
Provided, that all Federal agencies with offices located in said building shall pay to the General Fund of Bamberg County their proportionate share of the above cost based on a square footage occupancy.

Total, Item 24\$ 3,675.00

GRAND TOTAL\$135,436.62

Estimated Revenue:

Fines and Licenses	\$ 12,400.00
Commutation Road Tax	2,000.00
Gasoline Tax (one cent)	49,900.00
Insurance Licenses	6,500.00
Liquor Tax	12,750.00
Beer and Wine Tax	3,300.00
Execution Fees	3,000.00
Income Tax	20,000.00
Bank Tax	1,600.00
Diversion from hospital millage	5,000.00
Miscellaneous	1,500.00

Total, Estimated Revenue\$117,950.00

Amount to be raised by taxation\$ 17,486.62

SECTION 3. The appropriation made under the foregoing section for the office of Sheriff and the office of Treasurer of Bamberg County is intended to be full compensation for their respective services, including expenses, in lieu of all tax execution fees, and all tax execution fees collected for such offices shall be by them, respectively, paid over to the treasurer and by him credited to the General County Fund. *Provided*, that all mileage and docketing fees shall be turned over to the treasurer and placed in the Sheriff's auto maintenance and traveling expenses fund. *Provided*, further, that mileage shall be nine cents per mile and per diem ten dollars.

SECTION 4. No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

SECTION 5. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this Act.

SECTION 6. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

SECTION 7. Should there be any deficit in any item of the 1960-1961 Supply Act or should any deficit occur in any item under the provisions of this Act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

SECTION 8. No expense allowed under this Act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

SECTION 9. It shall be unlawful for the county supervisor or board of commissioners to make any contracts to purchase or to make purchases for an amount exceeding one thousand dollars without the written consent of the Legislative Delegation.

SECTION 10. Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

SECTION 11. No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such magistrate has filed his report of the proceedings of his court and until such magistrate shall have filed a bond as provided by law.

SECTION 12. The county treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the Supply Act of Bamberg County for the year 1943.

SECTION 13. The clerk of court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage, provided that the satisfaction is in the form as authorized under item (1) of Section 45-65 of the 1952 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

SECTION 14. All chattel mortgages will be recorded in same books and indexed accordingly.

SECTION 15. All taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1956 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County, on or before November 1, 1961.

All merchants' and corporation taxes due the county prior to and including taxes for the year 1960 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County on or before November 1, 1961.

SECTION 16. The Resident Circuit Judge shall be entitled to the same benefits as any other county official.

SECTION 17. A certain sum to be determined under the provisions of an Act of 1959, bearing Ratification No. 417, shall be placed in the General Fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County.

SECTION 18. The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Legislative Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve unemployment in the county and stimulate business within the county.

SECTION 19. The disbursements, expenditures and actions authorized by the Bamberg County Legislative Delegation during the fiscal year 1960-1961, in connection with the operation of the county and departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R138, H1332)

No. 477

An Act To Authorize Barnwell County to Convey Certain Real Estate To The Division Of Game Of The South Carolina Wildlife Resources Department.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Barnwell County to convey certain property to Wildlife Resources Department.—The Board of Managers of Barnwell County is hereby directed, in the name of the county, to convey to the Division of Game of the South Carolina Wildlife Resources Department, by deed, without warranty, fee simple title to the following described property:

Tract No. 1

(Parcel 1): All that certain piece, parcel or lot of land in the City of Barnwell, Barnwell County, State of South Carolina, containing 21.7 acres, more or less, on the West side of Turkey Creek and lying between the run of Turkey Creek and Contour elevation line 176.41 feet above mean sea level, based on United States Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of Main track and stamped V 9, 1933, and designated as that portion of Tract No. 1, W. H. Grimes lying below said contour line 176.41 feet above mean sea level, as shown on a plat No. 2-R-9774, entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County; said tract of land being bounded on the North by Wellington Road; on the East by the run of Turkey Creek; on the South by lands of Sam Holford, Jr.; and on the West by lands of W. H. Grimes lying above said contour elevation line 176.41 feet above mean sea level. Also,

(Parcel 2): All that certain piece, parcel or tract of land, partly within and partly out of the City limits of Barnwell, Barnwell County,

State of South Carolina, containing 25.2 acres, more or less, being on the Western side of Turkey Creek and lying between the run of Turkey Creek and contour elevation line 176.41 feet above mean sea level, based on United States Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of Main Track stamped V 9, 1933, and designated as that portion of W. H. Grimes Tract No. 2 lying below said elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774, entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I, page 231 of the records of Barnwell County; said tract of land being bounded on the North by lands of Vivian Singletary; on the East by the run of Turkey Creek; on the South by Wellington Road; and on the West by lands of W. H. Grimes lying above said contour elevation line 176.41 feet above mean sea level.

Tract No. 2

All that certain piece, parcel or tract of land in Barnwell County, South Carolina, containing 3.9 acres, more or less, being on the East side of Turkey Creek and lying between the run of Turkey Creek and contour elevation line 176.41 feet above mean sea level based on U. S. Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of main track and stamped V 9, 1933, and designated as that portion of Mrs. McKinley Hammet lot lying below contour elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774 entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County; said lot being bounded on the North, East and South by that portion of Mrs. McKinley Hammet lot lying above contour elevation 176.41 feet above mean sea level; and on the West by the run of Turkey Creek.

Tract No. 3

All that certain piece, parcel or lot of land in the County of Barnwell, State of South Carolina, containing 1.1 acres, more or less, being on the East side of Turkey Creek and lying between the run of Turkey Creek and contour elevation line 176.41 feet above mean sea level based on U. S. Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina Atlantic Coast Line Railroad Depot and 25 feet North of the main track and stamped V 9, 1933, and designated as that portion of Georgia Hayes land lying below contour elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774

entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County; said lot being bounded on the North by land of Herbert Black; on the East by lands of Georgia Hayes lying above contour elevation line 176.41 feet above mean sea level; on the South by lands of Lena Rountree; and on the West by the run of Turkey Creek.

Tract No. 4

All that certain piece, parcel or tract of land in the City of Barnwell, Barnwell County, State of South Carolina, containing 18.4 acres, more or less, being on the West side of Turkey Creek and lying between the run of Turkey Creek, proposed dam as shown on below mentioned plat, and contour elevation line 176.41 feet above mean sea level based on U. S. Coast and Geodetic Survey E. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of main track and stamped V 9, 1933, and designated as that portion of Mary Ann Lee land lying below contour elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774 entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County, said lot being bounded on the North by lands of Sam Holford, Jr.; on the East by run of Turkey Creek; on the Southeast by lands of L. C. Vickery; on the Southwest by proposed dam as shown on said plat; and on the West by that portion of the lands of Mary Ann Lee lying above contour elevation line 176.41 feet above mean sea level.

Tract No. 5

All that certain piece, parcel or tract of land in the City of Barnwell, Barnwell County, State of South Carolina, containing 4.8 acres, more or less, being on the East side of Turkey Creek and lying between the run of Turkey Creek and contour elevation line 176.41 feet above mean sea level based on U. S. Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of main tract and stamped V 9, 1933, and designated as that portion of Lena Rountree land lying below contour elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774 entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County; said land being bounded on the North by lot of Georgia Hayes and land of Lena Rountree lying above contour elevation line 176.41 feet above mean sea level; on the East,

Southeast and South by land of Lena Rountree lying above contour elevation 176.41 feet above mean sea level; also on the South by lot of Willie Ford; and on the West by the run of Turkey Creek.

Tract No. 6

All that certain piece, parcel or tract of land in the County of Barnwell, State of South Carolina, containing 6.8 acres, more or less, on the West side of Turkey Creek and lying between the run of Turkey Creek and contour elevation line 176.41 feet above mean sea level based on U. S. Coast and Geodetic Survey B. M. located 9 feet East of Barnwell, South Carolina, Atlantic Coast Line Railroad Depot and 25 feet North of main tract and stamped V 9, 1933, and designated as that portion of Vivian Singletary land lying below contour elevation line 176.41 feet above mean sea level on a plat No. 2-R-9774 entitled "Proposed Barnwell Pond," dated June 16, 1959, and recorded in Plat Book I at page 231 of the records of Barnwell County; said lot being bounded on the North by lands of S. T. Nappier; on the East by the run of Turkey Creek; on the South by lands of W. H. Grimes; and on the West by that portion of Vivian Singletary land lying above contour elevation line 176.41 feet above mean sea level.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of March, 1961.

(R519, H1007)

No. 478

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. That the county auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, sufficient to pay the following appropriations:

Item 1. Roads and Bridges:

Convicts and Maintenance road working organizations	\$ 22,000.00
	<hr/>
	\$ 22,000.00

Item 2. Clerk of Court's Office:

Salary of Clerk of Court	\$ 1,000.00
Salary of Assistant Clerk	1,368.00
Indexing births and deaths	200.00
Recording discharge of soldiers and sailors	150.00
Repairing and binding books, if so much be necessary	200.00
Telephone	102.36
	<hr/>
	\$ 3,020.36

Provided, That the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty (50¢) cents; *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. That Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61,

27-66, 60-2 and 60-303, Code of Laws of South Carolina, 1952; *Provided*, Further, That in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. And, *Provided*, further, That notwithstanding Section 27-52, Code of Laws of South Carolina, 1952, in Barnwell County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00. *Provided*, That the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all old chattel mortgage records ten (10) years of age or older.

Item 3. Sheriff's Office:

Salary of Sheriff	\$ 3,360.00
For use of auto, maintenance and travel expense of Sheriff	2,000.00
Salaries of two Deputy Sheriffs, to be appointed by the Sheriff (\$2,400.00 each)	4,800.00
For use of their cars, maintenance and travel, expenses of two Deputy Sheriffs (\$1,719.96 each)	3,439.92
Uniforms, Shirts and Jackets to be purchased by County Supervisor for two Deputy Sheriffs (\$150.00 each)	300.00
Salary of Clerk	1,920.00
	<hr/>
	\$ 15,819.92

Item 4. Treasurer's Office:

Salary of Treasurer	\$ 1,200.00
Salary of Clerk	1,920.00
Telephone	102.36
Assistant Clerk, two months @ \$160.00 per month	320.00
	<hr/>
	\$ 3,542.36

Item 5. Auditor's Office:

Salary of Auditor	\$ 1,200.00
Traveling Expenses of Auditor	300.00
Salary of Clerk	1,920.00
Salary of Assistant Clerk (10 months @ \$160.00 per mo.)	1,600.00
Telephone	102.36
Repairing and binding books, if so much be necessary	200.00
	<hr/>
	\$ 5,322.36

Item 6. Board of Education:

Salary of Clerk	\$ 1,620.00
Travel, Attendance Teacher	400.00
Members of County Board, each \$150.00	1,050.00
	<hr/>
	\$ 3,070.00

Provided, That in addition to the salary provided for the County Board of Education there shall be allowed ten (10¢) cents per mile travel going to and returning from official meetings of the Board.

Item 7. Judge of Probate's Office:

Salary of Judge of Probate and Acting Master ..	\$ 1,700.00
Salary of Clerk	1,440.00
	<hr/>
	\$ 3,140.00

Provided, That the fees charged by the Judge of Probate for acting Master shall be the same as those heretofore provided by law for the Master, in the Code of Barnwell County.

Provided, Further, That any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308, Code of Laws of South Carolina, 1952.

Item 8. Coroner's Office:

Salary of Coroner	\$ 900.00
	<hr/>
	\$ 900.00

Item 9. County Board of Managers:

Salary of Supervisor of Roads	\$ 2,860.00
Traveling Expenses for Supervisor	1,700.00
Salary of County Managers, five @ \$400.00 each	2,000.00
Travel Expenses for Chairman	100.00
Salary of Clerk	2,400.00
Printing, postage and stationery	4,800.00
Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law	2,000.00
Emergency Relief, to be disbursed under direction of the Department of Public Welfare	2,500.00
Travel for Child Welfare Worker	480.00
Expenses, Director Barnwell County DPW investigating hospital cases	300.00
	<hr/>
	\$ 19,140.00

Provided, That no charity patient shall be admitted to the Barnwell County Hospital unless certified by the Barnwell County Department of Public Welfare.

Provided, That the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use said fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the said County Board of Managers.

Provided, Further, That the farm lands owned by the county and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of food stuffs for use by the County Chain Gang and **County Hospital**.

Item 10. Tax Collector's Office:

Salary of Tax Collector	\$ 1,800.00
Traveling Expenses for Tax Collector	600.00
	<hr/>
	\$ 2,400.00

Item 11. Magistrates and Constables:

Magistrate at Barnwell	\$ 2,400.00
Constable at Barnwell	780.00
Magistrate at Blackville	780.00
Constable at Blackville	780.00
Magistrate at Williston	780.00
Constable at Williston	780.00
Magistrate at Hilda	540.00
Constable at Hilda	540.00
Magistrate at Red Oak	540.00
Constable at Red Oak	540.00
	<hr/>
	\$ 8,460.00

Provided, that no warrant shall be issued to pay any Magistrate and his Constable until at the end of each month and such Magistrate has filed his report of the proceedings in his Court and accounted for all monies collected.

Item 12. County Jail.

Dieting prisoners	\$ 2,480.00
The Sheriff shall act as Jailor without additional compensation.	
	<hr/>
	\$ 2,480.00

Item 13. Court Expenses:

Court Expenses	\$ 2,500.00
Secretarial Help for the Judge of the Second Judicial Circuit	500.00
	<hr/>
	\$ 3,000.00

Item 14. Health Work:

Physicians, County Jail and Chaingang	\$ 400.00
Contribution to operation of County Health Department to match State funds, as provided by law	3,453.20

Vital Statistics:

To pay local Vital Statistics Registrars, if so much be needed	300.00
Contribution to Tuberculosis Work	500.00
	<hr/>
	\$ 4,653.20

Provided, that all monies expended by the County Health Department shall be spent upon the written approval of the Barnwell County Legislative Delegation.

Item 15. Public Buildings, including water, fuel, lights, insurance, also salary and expense of \$3,300.00 for Superintendent and Maintenance Engineer for all Public Buildings, including Courthouse, Office Building, Health Building, County Jail, Agricultural Building, County Farm Prison Building, and County Library	\$ 19,000.00
	<hr/>
	\$ 19,000.00

Item 16. Farm and Home Demonstration Work:

County Agent's Work:	
County Agent, part salary	\$ 300.00
Assistant County Agent, part salary	240.00
Boys' 4-H Club Work	75.00
Contingent, stamps, etc., for County Agent and Assistant County Agent	50.00
White Home Demonstration Agent:	
Girls' 4-H Club work and Women's HD work ..	75.00
Demonstration supplies for Home Demonstration Agent	75.00
Contingent, stamps, etc., for Home Demonstration Agent	25.00
Secretary, salary, for Home Demonstration Agent	420.00
Telephone for County Agent and Home Demonstration Agent	100.00
Negro Agricultural Agent:	
Negro Boys' 4-H Club Work	75.00
Telephone for Negro Agricultural and Home Demonstration Agents	125.00

Contingent, stamps, etc., for Negro Agricultural Agent	25.00
Clerk, salary, Negro Agricultural and Home Demonstration Agent	960.00
Negro Home Demonstration Agent:	
Salary, Negro Home Demonstration Agent ...	1,044.00
Negro Girls' 4-H Club Work and Women's HD Work	75.00
Demonstration Supplies for Negro HD Agent ..	75.00
Contingent, stamps, etc., for Negro HD Agent .	25.00
Janitor's service, office rent, lights and water for Extension Service offices	240.00
Barnwell Soil Conservation District	350.00
	<hr/>
	\$ 4,354.00

- Item 17. Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies, Bookmobile operation and insurance, miscellaneous items, and Librarian's expenses to S. C. Library Association meeting\$ 9,653.38

Provided, that upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor and the efficient use of such funds in establishment and improving public library service.

- Item 18. Miscellaneous:

Premium on Bonds	\$ 900.00
Post Mortems, Lunacy and Inquests	600.00
County Attorney	150.00
Board of Equalization	1,300.00
County Audit	1,200.00
S. C. Industrial Commission	1,580.57
S. C. Retirement System	3,483.26

Social Security Trust Fund	1,850.00
Contribution to Richardson-Walsh American Legion Hut	200.00
Contribution to American Legion Post at Wil- iston	200.00
Contribution to American Legion Post at Black- ville	200.00
Contribution to Barnwell County National Guard Maintenance Fund	750.00
Blue Cross-Blue Shield	2,049.00
Miscellaneous Contingent Fund	4,000.00
	<hr/>
	\$ 28,116.21

GRAND TOTAL\$148,418.41

Less Estimated Revenue other than Taxes:

Fines and Licenses	\$ 8,500.00
Commutation Tax	3,000.00
Gasoline Tax (1 cent)	63,000.00
Insurance License Fees	8,500.00
Liquor Tax	17,000.00
Income Tax	17,000.00
Miscellaneous	2,000.00
	<hr/>
	\$119,000.00

Amount to be Raised by Taxation\$ 29,418.41

SECTION 2. On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be \$2.00 per year.

SECTION 3. The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

SECTION 4. Effective January 1, 1955, and each year thereafter, travel expense and/or travel expenses shall mean remuneration for services rendered.

SECTION 5. The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all the expenditures made by the said County Board of Managers during the said fiscal year.

SECTION 6. No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

SECTION 7. *Provided,* That in case of vacancy by death, resignation or otherwise in the office of any magistrate, constable, or other officer in Barnwell County, the salary, expenses or other emolument shall be paid to only a successor who has been recommended for appointment by the Senator and Member of the House Delegation from Barnwell County.

SECTION 8. *Provided,* That at the end of the fiscal year 1961-62 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

SECTION 9. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

SECTION 10. All American Legion Huts in Barnwell County are exempted from county taxes.

SECTION 11. All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their duties in the sum of \$500.00 which said bond shall be approved by the County Board of Managers.

SECTION 12. That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge

shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

SECTION 13. The County Board of Managers and/or Supervisor are hereby directed to furnish from the chain gang a suitable trusty or trusties to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance Engineer for Public Buildings. *Provided*, The Board of Managers is authorized and directed to assign a trusty from the chain gang as a laborer at the county jail.

SECTION 14. The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

SECTION 15. In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

SECTION 16. There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of \$5.00 each per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

SECTION 17. Barnwell County is authorized to cooperate with any State or Federal agency in providing additional recreational facilities for the county, and the county upon approval of the Legis-

lative Delegation is authorized to transfer such county property as may be necessary to accomplish this end.

SECTION 18. All expenditures heretofore made upon the approval of the Barnwell County Board of Managers or the County Delegation from either the general, special or surplus funds of the county are hereby approved and ratified.

SECTION 19. Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

SECTION 20. Grand and petit jurors shall each hereafter be paid at the rate of \$5.00 per court attendance day.

SECTION 21. *Provided,* That the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said offices shall be open shall be designated by the County Board of Managers.

SECTION 22. *Provided,* That the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

SECTION 23. That all machinery, buildings and equipment of the Barnwell Garment Company, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1957. That the Blackville Manufacturing Company and the Blackville Industrial Board, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1959. That the Shuron Optical Company, Division of Textron, and Barnwell Industries, Inc., and The Bud Berman Plant at Williston are hereby exempted from all county and school taxes for a period of five years beginning January 1, 1961.

This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County.

SECTION 24. Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a state-

ment from such magistrate showing the name of the defendant, the offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the treasurer of Barnwell County on or before the first day of each month following the issuance of said statement. No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R430, S160)

No. 479

An Act To Authorize The County Building Commission Of Beaufort County To Construct And Equip An Addition To The Beaufort County Jail, And To Finance The Same By The Issuance Of Not Exceeding One Hundred Thousand Dollars Of General Obligation Bonds Of Beaufort County; To Prescribe The Conditions Under Which Said Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the County Building Commission for Beaufort County, created by Act No. 776 of the Acts of the General Assembly for the year 1954 (herein called the "Commission"), was given additional functions by Act No. 947 of the Acts of 1960 which directed the Commission to make further study of the needs of Beaufort County with respect to existing county buildings and for such other buildings as the study indicated were necessary. The Commission was directed to report its findings to the Beaufort County Legislative Delegation and it was therein provided that if the Beaufort County Legislative Delegation should give written approval thereto,

the Commission might issue general obligation bonds of Beaufort County to raise funds required to implement such recommendations.

The General Assembly takes further note of the fact that the delegation of administrative or supervisory functions to the Beaufort County Delegation might be considered violative of certain provisions of the South Carolina Constitution, as the same have been construed by the Supreme Court of South Carolina in the cases of *Bramlette vs. Stringer*, 186 S. C., 134, 195 S. E. 257, and *Dean vs. Timmerman*, 234 S. C., 35, 106 S. E. 2d, 665.

Meanwhile, the Commission has made a finding that an addition to the Beaufort County jail is much needed. Estimates of the cost of constructing such an addition have been received, and it has been estimated that one hundred thousand dollars will be required for that purpose.

On the basis of the foregoing, the General Assembly has determined that it will, through the means of this special enactment, provide a new legislative authorization, by which the Commission may undertake the construction and equipping of a suitable addition to the Beaufort County jail, and finance the same by issuing not exceeding one hundred thousand dollars of general obligation bonds of Beaufort County, whose proceeds will be used to defray the cost of the project which the Commission is hereby authorized to undertake.

SECTION 2. Addition to Beaufort County Jail authorized.—

The General Assembly expressly authorizes the Commission to construct and equip an addition to the existing Beaufort County jail, at a cost of not exceeding one hundred thousand dollars.

SECTION 3. Issue bonds.—In order to provide the funds required for the project authorized to be undertaken by this act, the Commission is hereby authorized and empowered to issue general obligation bonds of Beaufort County in the aggregate principal amount of not exceeding one hundred thousand dollars.

The action to be taken by the Commission in effecting the issuance of the bonds authorized by this act may be taken at a special or regular meeting and may be in the form of a resolution which shall become effective immediately upon its adoption.

SECTION 4. Maturity.—The bonds shall be issued as a single issue and shall mature in such manner as the Commission shall provide, except that the first maturing bonds of such issue shall mature not later than two years from the date as of which the bonds shall be

issued, and the last maturing bonds of such issue shall mature not later than twenty years from the date as of which the bonds shall be issued.

SECTION 5. Redemption—interest—dates.—Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the Commission. The bonds shall bear such rates of interest as the Commission shall determine, payable semiannually. They shall bear such date and be payable at such places as the Commission shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Beaufort County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Commission may prescribe.

SECTION 6. Execution.—The bonds shall be executed, and the coupons authenticated, in such manner as the Commission shall by resolution prescribe, except that the same shall be countersigned or attested by the County Treasurer of Beaufort County.

SECTION 7. Sale.—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be deposited with the Treasurer of Beaufort County in a special fund, separate and distinct from all other funds, and shall be expended, upon the order or warrant of the Commission, as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds;

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds;

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and for the construction and equipping of an addition to the existing Beaufort County jail; and

(d) If any balance remain, the same shall be used to effect the retirement of the bonds authorized hereby.

No purchaser or subsequent holder of any of the bonds issued pursuant to this act shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 9. Payment.—The full faith, credit and taxing power of Beaufort County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 10. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 11. Certain proceedings not to be taken for issuance of bonds.—No proceedings shall be taken by the Commission to effect the issuance of bonds, for the purpose for which the bonds herein are authorized, pursuant to Act No. 947 of the Acts of 1960.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

An Act To Authorize The Board Of Directors Of Beaufort County To Issue General Obligation Bonds Of Beaufort County In The Sum Of Three Hundred And Fifty Thousand Dollars For The Purpose Of Raising Moneys To Be Used In The Construction And Improvement Of Streets And Roads In Beaufort County, Eligible For Improvement Under The Farm-To-Market Program; To Provide That The Work Done In The Construction And Improvement Shall Be Done By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The County Board And The State Highway Department; To Prescribe The Conditions Under Which The Bonds Are To Be Issued And The Reimbursement Contract May Be Made; To Provide For The Payment Of The Bonds; And To Make Provi-

sion For The Reimbursement Of Beaufort County For Special Benefits To Accrue To Political Units Of The County By Reason Of The Program Authorized By This Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that by Section 7, Part II, of Act No. 855 of 1958, as amended by Act No. 312 of 1959, provision was made for the continuance of the so-called farm-to-market or State secondary highway program for the period to end June 30, 1972, and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to this program, funds were made available for farm-to-market roads in Beaufort County for the fiscal years ending June 30, 1959, and June 30, 1960, and it is to be anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial allotments will be made.

It has been determined that an immediate need for road improvement exists in portions of Beaufort County, notably on Hilton Head Island and within the incorporated limits of the City of Beaufort. (Funds derived from the so-called farm-to-market or State secondary highway program have been used throughout South Carolina for improvement of streets within incorporated municipalities). It has been further determined that the program now contemplated for Hilton Head Island and the City of Beaufort would be effected over the period to end June 30, 1972, so that the action contemplated by this act is an acceleration of the program insofar as Hilton Head Island and the City of Beaufort are concerned, which thus grants special benefits to those political units.

By reason of this special benefit it has been determined that interest to be paid by Beaufort County on the bonds authorized by this act and any nonreimbursable principal should be repaid to Beaufort County by those political units, but it is specifically declared that the obligations to arise between Beaufort County, the City of Beaufort and Hilton Head Island, respectively, are obligations inter sese and shall not affect the obligation of Beaufort County to those who may become the holders of the bonds authorized by this act. It is further declared that if the obligations between Beaufort County, Hilton Head Island and the City of Beaufort shall be adjudicated invalid, such adjudication shall not affect the obligation of Beaufort County to

those who may acquire the bonds authorized by this act, nor shall it affect either the right of the Board of Directors of Beaufort County to issue the bonds authorized by this act nor the validity of the bonds when issued.

On the basis of the foregoing findings it has been determined to authorize the Board of Directors of Beaufort County (hereinafter called "the board") to raise three hundred and fifty thousand dollars and to make this sum available to the State Highway Department which, in turn, shall apply the same (within the limits hereafter provided) to construction or improvement of State farm-to-market roads on Hilton Head Island and streets in the City of Beaufort as approved by the State Highway Department.

The action taken in accelerating this phase of the general program for the political units involved shall be taken into account in the overall program for Beaufort County contemplated by legislation enacted in 1958 and 1959 and which is above referred to.

SECTION 2. Beaufort County may issue bonds for farm-to-market roads.—If a suitable agreement can be reached between the board and the State Highway Department providing that the State Highway Department shall construct farm-to-market roads in Beaufort County to an extent mutually agreed upon and that moneys, which would otherwise be expended in future years for farm-to-market roads in Beaufort County, shall be diverted to the extent needed to effect the payment of that portion of the principal of the bonds herein authorized, to be paid by the State Highway Department for such purposes, the board is authorized and empowered to issue general obligation bonds of Beaufort County not to exceed three hundred and fifty thousand dollars.

SECTION 3. Use of proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be paid to the Treasurer of Beaufort County, and shall be deposited in a special account and shall be disposed of by the Board as follows:

(a) any accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) the remaining proceeds shall be first applied to the expenses incident to the issuance of the bonds, and so much as remains there-

after shall be turned over to the State Highway Department and by it applied as follows:

(1) Three-sevenths thereof used for the improvement of streets within the City of Beaufort which are eligible for improvement under the farm-to-market program; and

(2) Four-sevenths thereof used for the improvement of roads on Hilton Head Island which are eligible for improvement under the farm-to-market program.

SECTION 4. Action to be taken by board prior to issuance of bonds.—Prior to the issuance of bonds the board shall take the following action which is designed to secure the reimbursement to Beaufort County of all sums required to be paid by Beaufort County by way of interest on the bonds herein authorized, and of all sums required to be paid by Beaufort County by way of principal on the bonds, to the extent that the payments to be made to Beaufort County pursuant to the Reimbursement Agreement authorized by Section 2 shall fail to provide funds to fully pay the principal of the bonds:

(1) The board shall direct the Auditor of Beaufort County to levy and the Treasurer of Beaufort County to collect an ad valorem tax upon all taxable property on Hilton Head Island sufficient to produce (over the period of the life of the bonds) the aggregate of moneys required to provide for the payment of four-sevenths of the interest on the bonds and four-sevenths of so much of the principal of such bonds as shall not be reimbursable to Beaufort County under the terms of the Reimbursement Agreement provided for above. The board is specifically authorized to take into account the potential growth and development of Hilton Head Island in fixing the tax levy intended to reimburse Beaufort County, and if it shall find that too great a burden will be imposed by requiring the collection in each year of the moneys needed to reimburse the county for four-sevenths of its annual outlay for interest and non-reimbursable principal, it may prescribe unequal payments of the sums to become due to Beaufort County by Hilton Head Island over the life of the bonds; *provided*, that the aggregate of taxes to be levied on Hilton Head Island and to be paid by way of reimbursement to Beaufort County shall equal four-sevenths of the aggregate of the payments required to be made to Beaufort County for interest and nonreimbursable principal of the bonds.

(2) The board shall require that the City Council of Beaufort shall agree in writing to pay over to the Treasurer of Beaufort County, during each year in which the bonds authorized by this act shall be outstanding, three-sevenths of the interest to be paid by Beaufort County on the bonds, plus three-sevenths of any nonreimbursable principal of the bonds. The payments shall be made from moneys received by the City of Beaufort from the tax levied by the State on beer, wine and alcoholic beverages, and the obligation of the City of Beaufort shall be special and limited to sums derived from this source.

As noted in Section 1 of this act the action taken in requiring reimbursement to Beaufort County by Hilton Head Island and the City of Beaufort is declared to be a separable provision of this act and does not constitute a matter of inducement to the passage of the remaining provisions of the act. Accordingly, if any provision of this section shall be declared invalid, the invalidity thereof shall not affect the remainder of the act.

SECTION 5. Single issue.—The bonds authorized by this act shall be issued as a single issue.

SECTION 6. Maturity.—Bonds issued pursuant to this act shall mature in such annual series or instalments as the board shall provide, except that the first maturing bonds shall mature not more than two years from the date as of which they shall be issued, and no bond shall mature later than June 1, 1972.

SECTION 7. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 8. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Beaufort County, upon such conditions as the board may prescribe. Except when registered, all bonds issued pursuant to this act shall have all attributes of

negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 9. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

SECTION 10. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

SECTION 11. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution prescribe.

SECTION 12. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their delivery. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 13. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Beaufort County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Beaufort County, and collected by the Treasurer of Beaufort County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Beaufort County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that the ad valorem tax levy shall be reduced to the extent that there has been deposited with the county treasurer moneys derived from the reimbursement agreement herein authorized on the occasion in each year when the ad valorem tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys derived from such reimbursement shall be applied to the payment of principal of the bonds and to no other purpose.

SECTION 14. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 15. Highway Department may reimburse Beaufort County.—The State Highway Department is hereby authorized to reimburse Beaufort County for all moneys turned over to the Highway Department by Beaufort County pursuant to Section 3 (c) of this act. This reimbursement shall be made in annual instalments (not exceeding the annual principal payments due on the bonds to be issued by Beaufort County) out of the apportionment of funds accruing to Beaufort County under the State Highway Department's farm-to-market construction program and by reason of the statute, if so much thereof shall accrue to Beaufort County. The State Highway Department shall not be obligated to the repayment to Beaufort County for any instalment, unless sufficient amounts for such instalments shall accrue to Beaufort County under the State farm-to-market construction program. The State Highway Department shall not be required to pay any interest to Beaufort County for funds turned over to the department pursuant to the provisions of this act. If, during any year hereafter, the apportionment to which Beaufort County is entitled exceeds the sum required to meet the annual instalment of principal of the bonds maturing in such year, then such excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

SECTION 16. Powers of board.—The powers and authorizations hereby conferred upon the board shall be in addition to the other powers and authorizations previously vested in the board.

SECTION 17. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Create Forest Beach Public Service District On Hilton Head Island In Beaufort County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Of Its Commission; To Make Provision For The Borrowings By The District, In-

cluding The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment, And To Repeal Act No 951 Of The Acts Of 1960, Relating To The Forest Beach District And Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly makes the following findings of fact :

(1) The opening of a free public highway connecting Hilton Head Island to the mainland of Beaufort County has resulted in the rapid development of sections of that Island, particularly in the area hereafter described and incorporated into the special purpose district herein created. Many resort homes have been built and much use has been made of the beach area of the island fronting on the Atlantic Ocean. The rapid development of the island has created the need for a publicly owned and operated waterworks system which will supply those living within the district herein created, with a sanitary supply of water for domestic and commercial purposes and which will afford a means of providing protection against fire.

(2) Recent storms have caused considerable erosion in certain sections of the district beach area, indicating that steps should be taken to guard against and prevent further erosion.

(3) On the basis of these findings the General Assembly has determined to constitute the territory hereinafter described into a special purpose district and to commit to it the functions set forth in this act.

SECTION 2. Forest Beach Public Service District created on Hilton Head Island in Beaufort County—area.—There is hereby created and established on Hilton Head Island in Beaufort County a special purpose district to be known as "Forest Beach Public Service District," which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act amendatory thereof. The district shall include and be comprised of that area on Hilton Head Island in Beaufort County described as follows :

Beginning at a point on the northeast corner of Cordillo Parkway and Pope Avenue on Hilton Head Island, Beaufort County, South Carolina, thence in an easterly direction along the north

right of way line of Cordillo Parkway to the intersection of the east right of way line of Avocet Road extended. Thence in a southerly direction across Cordillo Parkway and along the east right of way line of Avocet Road to a point at the northeast corner of Avocet Road and Lagoon Road; thence in an easterly direction along the north right of way line of Lagoon Road to its intersection with the east right of way line of Ibis Road; thence in a southerly direction along the east right of way line of Ibis Road to the northwest lot corner of Lot 118 of Hilton Head Beach Subdivision No. 2-A. Thence in an easterly direction along the north lot lines of Lots 118, 125 and 126, across Jacana Road and along the north lot lines of Lots 127, 128, 144, 145 and 146, across Mallard Road and along the north lot lines of Lots 147, 148, 149, 158, 168 and 170 across Pelican Road and along the north lot lines of Lots 171, 172, 173, 192, 193 and 194, across Sandpiper Road and along the north lot lines of Lots 195, 196 and 197 to the northeast corner of Lot 197, all of the aforementioned lots being in Hilton Head Beach Subdivision No. 2-A. Thence in a southerly direction along the east lot lines of Lots 197, 198, 203 and 204 of Hilton Head Beach Subdivision 2-A to a point where this line intersects the north right of way line of North Forest Beach Drive; thence in an easterly direction along the north right of way line of North Forest Beach Drive to a point where this line intersects an extension of the east boundary line of a subdivision developed by Captain John B. Robinson, thence in a southerly direction across North Forest Beach Drive and along the east boundary line of a subdivision developed by Captain John B. Robinson to a point where an extension of the line would intersect the mean high water line of the Atlantic Ocean. Thence in a westerly direction along the mean high water line of the Atlantic Ocean to a point where this line would intersect an extension of the west boundary line of the most westerly walkway in Lawton Beach Subdivision No. 1. Thence in a northerly direction along the said extension and west boundary line of the most westerly walkway of Lawton Beach Subdivision No. 1 to a point where this line intersects the south right of way line of South Forest Beach Drive. Thence in a northerly direction across South Forest Beach Drive to a point where the north right of way line of South Forest Beach Drive intersects the west line of the most westerly walkway in Palm

Forest Subdivision. Thence in a northerly direction along the west line and extension of the most westerly walkway in Palm Forest Subdivision to a point where this line intersects the north right of way line of Cordillo Parkway. Thence in an easterly direction along the north right of way line of Cordillo Parkway to the northwest corner of Cordillo Parkway and Pope Avenue. Thence in an easterly direction across Pope Avenue to the point of beginning.

This description embraces the following subdivisions:

Hilton Head Beach Subdivisions 1, 2, 3, 1-A and 2-A,
Lawton Beach Subdivision No. 1,
Palm Forest Subdivision,
Captain John B. Robinson Subdivision,
Major H. E. Allen Subdivision.

It also includes the Forest Beach commercial and motel section as included in Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, 5B, 7B, 8B, 10B and 11B and 10C; and the church properties owned by the Savannah Presbytery, the Baptist Church of Beaufort, and the Baptist Conference Centre organization.

All of these subdivisions, blocks and church lands are recorded on Maps 15-A, 15-B, 16 and 18 in Hilton Head Township, County of Beaufort.

As soon as convenient, and prior to the issuance of the bonds herein authorized, a plat of the district shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Beaufort County.

SECTION 3. To be governed by a commission—members—appointments—terms—vacancies.—Such district shall be operated, managed and governed by a commission to be known as “Forest Beach Public Service District Commission.” The commission shall consist of three resident electors of the district who shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Beaufort County, including the Senator. The original appointments shall be for a term of one year for one appointee, for two years for the second appointee, and for three years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and qualify. All of the terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a ma-

jority of the Legislative Delegation of Beaufort County, including the Senator, for terms of three years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Beaufort County, including the Senator.

SECTION 4. Powers and duties.—There is committed to the district the function of preserving the public health and safety of the district through the means of providing a public system of water supply for drinking and fire-fighting purposes. There is also committed to the district the function of preventing and controlling beach erosion. Additional functions may also be committed to the district by subsequent legislation. The commission shall be empowered as follows:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
5. To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. To prescribe such regulations as will enable the commission to fully discharge all duties imposed upon it and to protect all property acquired by it. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, and a certified copy thereof has been recorded in the office of the Clerk of Court for Beaufort County, and additional copies have been posted in the Courthouse for Beaufort County and in at least two public places in the district, and notice of the adoption of such regulations published at least once during each of three successive weeks, in a newspaper published in and having circulation in Beaufort County. Such notice shall specify, in brief, the scope of the regulations and shall state the date on which the same shall become effective. The commission is expressly authorized to apply to any court of general jurisdiction for the enforcement of such regulations through the means of mandatory injunctions and other remedial proceedings, and such courts are specifically empowered to render mandatory injunctions and such other remedial orders as shall appear to such courts to be just and equitable.

7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. To build, acquire, construct, operate and maintain such water-works system as shall, in the opinion of the commission, be necessary for the district.

9. To acquire and operate such facilities as shall be required for the protection of lives and property against fire and other hazards arising therefrom.

10. To take such action as shall be required to prevent and control beach erosion within the district.

11. To impose such schedule of rates and charges for the use of water as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for water service made available by it to persons, firms and corporations within the district.

12. To make use of county and state highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

13. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

14. To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

15. To make contracts for construction, engineering and other services, upon competitive bidding where practicable.

16. To raise funds for corporate purposes of the district by causing the levy of a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes

shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

17. To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 5. Issuance of bonds.—As one method of raising money to acquire and to enlarge and improve the waterworks system required for the district, the commission, on behalf of the district, shall be empowered to issue not exceeding two hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the waterworks system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words “net revenues” as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water service after paying the cost of operation and maintenance of the waterworks system. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual instalments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Beaufort County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms

and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts and Joint Resolutions of South Carolina, 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission. *Provided*, however, that neither the members of the commission, nor any person signing the obligations shall be personally liable thereon.

(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Beaufort County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the waterworks system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Beaufort County prior to the occasion when the Auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Beaufort County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this section need not, in the discretion of the commission, be

exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this section, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Beaufort County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Beaufort County and by him applied to the first instalment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Beaufort County to the first instalment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 6. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of its waterworks system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Beaufort County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such

Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its waterworks system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the waterworks system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in fixed amounts.

(7) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared

due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 7. Repeal—Act 951 of 1960 repealed.—Act No. 951 of the Acts of 1960, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R535, H1506)

No. 482

An Act To Authorize The Beaufort County Board Of Directors To Convey Certain Lands To The State For National Guard Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County may convey property to State.—The Beaufort County Board of Directors is hereby authorized and directed to convey to the State of South Carolina, in consideration of the exchange of certain property described in Section 3 of this act, the following :

All that certain parcel or tract of land containing ten acres, more or less, lying, situate and being within the City of Beaufort in Beaufort County, being bounded as follows: on the north by lands of Christensen, et al., on the east by Rodgers Drive, on the south by the National Cemetery, and on the west by lands of Beaufort Gardens.

SECTION 2. Land to be used for National Guard purposes.—The lands above conveyed shall be under the control of and utilized by the office of the Adjutant General of the State of South Carolina for National Guard purposes.

SECTION 3. Beaufort County to receive certain property in exchange.—The property noted in Section 1 as the consideration for the above conveyance is described as follows:

All that certain parcel or tract of land, together with the improvements thereon, lying, situate and being within the limits

of the City of Beaufort in Beaufort County, and being bounded as follows: on the north by lands of the Methodist Church, on the east by the Beaufort Township Library, on the south by Craven Street, and on the west by lands of Beth Israel Synagogue.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R543, H1507)

No. 483

An Act To Authorize The Adjutant General To Convey To Beaufort County A Certain Parcel Of Land, With The Improvements Thereon.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Adjutant General to convey property to Beaufort County.—The Adjutant General of the State of South Carolina is hereby authorized and directed to execute in behalf of and in the name of the State of South Carolina a deed conveying to Beaufort County the following real estate, in consideration of the exchange of other real estate:

All that certain parcel or tract of land, together with the improvements thereon, lying, situate and being within the limits of the City of Beaufort in Beaufort County, and being bounded as follows: on the north by lands of the Methodist Church, on the east by the Beaufort Township Library, on the south by Craven Street, and on the west by lands of Beth Israel Synagogue.

SECTION 2. Use of land.—The deed shall reserve to the State of South Carolina, acting through the Adjutant General, the right to utilize the lands and facilities herein conveyed for National Guard Armory purposes until such time as a new Armory may be constructed.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R570, H1817)

No. 484

An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1961-1962, And Direct The Expenditure Thereof In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and school purposes, for the fiscal year beginning July 1, 1961, and ending June 30, 1962, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

SECTION 2. For the fiscal year commencing July 1, 1961, there is hereby appropriated out of the general funds, if so much be necessary, the following:

Item 1. Roads, Bridges, Landings, Docks and Drainage:

Salaries and wages	\$ 50,000.00
Chain gang expenses	3,500.00
Supplies and materials	22,000.00
Fuels and lubricants	7,500.00
Rights of way, borrow pits and engineering ...	1,500.00
Machinery and equipment	10,000.00
Docks and ferries	6,000.00
Maintenance and operation of airport	1,000.00

Total, Item 1\$101,500.00

Provided, that the Road Supervisor shall advertise and receive sealed bids in the purchase of all equipment and supplies of a value in excess of two hundred dollars where practicable.

Provided, that not less than \$10,000.00 of the above amount shall be spent on construction, maintenance and improvements of public landings of Beaufort County. *Provided*, that the Beaufort County Board of Directors may enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the County Airports, and further that the Beaufort County Board of Directors if deemed advisable, may enter into leases with any corporation or individual for the operation and maintenance or maintenance of the Beaufort County Airports.

The Beaufort County Board of Directors is authorized to maintain and construct roadside parks.

Provided, further, that any drainage projects upon which funds from this item are expended shall be according to plans and specifications approved by the Soil Conservation Service of the United States, and not more than \$10,000.00 of this item shall be expended upon such projects.

Provided, further, that before any road shall be accepted by the board of directors for maintenance by the county, deeds of rights of way therein shall be obtained conveying rights of way meeting at least the minimum requirements of the S. C. State Highway Department with respect to State Secondary highways, and no paved road shall be accepted which does not meet at least the minimum standards set by the South Carolina Highway Department for its secondary roads.

Item 2. Salaries:

Supervisor	\$ 6,000.00
Clerk, County Board of Directors	3,300.00

Clerk of Court	2,286.90
Deputy Clerk of Court	2,640.00
Sheriff	5,232.15
Clerk to Sheriff	3,300.00
Assistant Clerk for Sheriff's office	2,400.00
Chief Deputy Sheriff	5,141.00
Sergeant (Deputy)	4,900.00
Deputy Sheriffs, 6 @ \$4,719.00 each	28,314.00
<i>Provided</i> , the Sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the Special Tax Assessor and the Auditor to accomplish the purposes of such act; and shall take out warrants and prosecute violations of such act. <i>Provided</i> , further, that two Deputy Sheriffs shall be assigned for duty in Bluffton and Hilton Head Townships.	
Jailer	2,746.70
Treasurer	2,922.15
Two Clerks, Treasurer's Office	5,280.00
Auditor	2,922.15
Special Tax Assessor	6,000.00
Office Expenses, including mileage at the rate of seven cents a mile	800.00
<i>Provided</i> , the Special Tax Assessor shall have the sole charge of and responsibility for the county's blueprint machine and shall charge for, collect and remit to the County Treasurer all funds received for the use of such machine other than for county purposes.	
Two Clerks, Auditor's Office	5,280.00
Attorney	300.00
Coroner	1,386.00
Board of Directors (Chairman)	526.50
Directors (four @ \$393.50)	1,574.00
Janitor, Courthouse	2,178.00
Janitor, County Office Building	2,178.00
Judge of Probate	1,808.10
<i>Provided</i> , the Judge of Probate is authorized to charge a fee of five dollars for marriage licenses.	

Constables:	
Daufuskie Island	300.00
Hilton Head	300.00
Magistrates:	
Beaufort Township	2,420.00
St. Helena Township	1,705.00
Sheldon Township	1,485.00
Bluffton Township	1,182.50
Daufuskie Island	687.50
Hilton Head	1,000.00
<hr/>	
Total, Item 2	\$108,495.65
Item 3. Health Unit:	
Health Unit	\$ 20,000.00
<i>Provided</i> , the above appropriation for expense of Health Unit shall be paid out as directed by the State Health Officer; <i>provided</i> , further, that there shall be employed for Beaufort County a Health Officer, two nurses, two sanitary inspectors and two clerks, unless waived in writing by the Beaufort County Legislative Delegation.	
Social Diseases	1,000.00
<i>Provided</i> , the above appropriation for Social Diseases shall not be used until the sum of two thousand five hundred dollars is made available by the State Board of Health, the Federal Government, or any agency thereof.	
<hr/>	
Total, Item 3	\$ 21,000.00
Item 4. Public Buildings:	
Public Buildings, including water, fuel and insurance	\$ 16,000.00
<i>Provided</i> , the amount of money herein appropriated for Public Buildings shall include fuel necessary for the use of the Beaufort County Jail and the monthly base rate for phone service at the Lady's Island fire tower.	
Any income received from any agency for rent or in lieu of rent shall be credited to this item.	
<hr/>	
Total, Item 4	\$ 16,000.00

- Item 5. Printing, Postage and Stationery\$ 10,000.00
Provided, that no purchase shall be made under this item in excess of one hundred dollars except upon competitive bids where practicable, \$1,000.00 of this sum, if so much be necessary, to be used for the purchase of aerial photographs for the Tax Assessor's office.

Total, Item 5\$ 10,000.00

- Item 6. Sheriff's Expenses:

Operation of Department, purchase, maintenance and repair of equipment\$ 23,600.00
 Special Deputies—Hilton Head and Hunting Island 400.00

Total, Item 6 24,000.00

Provided, the amount herein appropriated for Sheriff's Expenses shall cover all fees allowed in Section 27-401, Code of Laws of South Carolina, 1952, and cover all other authorized expenses and all service of jury venire.

- Item 7. Farm and Home Demonstration:

White:

Salary County Agent\$ 300.00
 Contingent Fund, County Agent 100.00
 Clerical Assistance, County Agent and Home Agent 420.00
 Contingent Fund, Home Demonstration Agent . 135.00
 Salary, Home Demonstration Agent 300.00
 4-H Camp 200.00

Colored:

Salary, County Agent 748.68
 Salary, Home Demonstration Agent 740.00
 Clerical Assistance, County and Home Demonstration Agents 1,500.00
 Demonstration Supplies, Home and County Agents 100.00
 4-H Camp 200.00

Total, Item 7\$ 4,743.68

Provided, the mimeograph machine now in the office of the County and Home Agents shall be available for the use of other officials of the county but shall remain in the office of the County and Home Demonstration Agents.

- Item 8. Jail Expenses, including dieting\$ 9,000.00

Provided, the amount of money herein appropriated under Item 8 for Jail Expenses shall include the dieting of prisoners; *provided*, further, that the jailer shall diet all prisoners in his care at cost, such cost not to exceed eighty-five cents per day for each prisoner. The jailer shall, at the end of each month, file with the County Board of Directors an itemized statement showing the number of prisoners dieted each day during the month and he shall be reimbursed at the rate above provided. The City of Beaufort prisoners may be lodged at a charge of one dollar and fifty cents per diem per prisoner, which total amount shall be credited to Item 8.

Total, Item 8\$ 9,000.00

- Item 9. Bond premiums and Miscellaneous Items\$ 6,000.00

Provided, the funds appropriated in this item shall be expended upon the approval of the County Board of Directors for the purposes of bond premiums, rents, Workmen's Compensation Insurance premiums, and freight.

Total, Item 9\$ 6,000.00

- Item 10. Post Mortems, Lunacies, etc.\$ 1,250.00

Total, Item 10\$ 1,250.00

- Item 11. South Carolina Retirement System, County's share, and Social Security County's share\$ 11,300.00

Total, Item 11\$ 11,300.00

Item 12. Travel:

County Service Officer	\$ 1,200.00
All other County Officers	280.00

Total, Item 12\$ 1,480.00

Provided, the members of the County Board of Directors shall be allowed seven cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding two dollars per day for each day in attendance on such meetings of the board. The directors, showing mileage traveled and expenses incurred in attendance, shall file a statement with the clerk of the board of directors.

Item 13. Department of Public Welfare:

Salary supplement for Director	\$ 1,500.00
Salary supplement for Child Welfare worker ..	1,500.00
Mileage for Child Welfare worker	500.00
Emergency and Administrative funds	1,200.00

Total, Item 13\$ 4,700.00

Item 14. Miscellaneous:

Board of Registration	\$ 200.00
National Guard Unit	750.00
Vital Statistics	500.00
Beaufort County Civil Defense	3,454.00

Total, Item 14\$ 4,904.00

Item 15. Jurors, Witnesses and Court Bailiffs\$ 5,500.00

Provided, the clerk of court and the sheriff shall pay a per diem of five dollars to all persons serving as jurors or court bailiffs and three dollars per diem to witnesses.

Total, Item 15\$ 5,500.00

Item 16. Beaufort County Development Board:

Secretary	\$ 3,300.00
Office Expenses	1,000.00

Travel Expenses	3,000.00
Professional and Engineering Fees	3,000.00
Per Diem for Board and Miscellaneous	1,400.00
Advertising, Promotion and Publications	9,500.00
Contingent Fund	7,000.00

Total, Item 16\$ 28,200.00

Provided, that the facilities and employees shall be available for use of the Beaufort County Water Authority, Port Royal Ports Authority and the Legislative Delegation.

Provided, further, that the Contingent Fund shall not be expended except upon prior written approval of a majority of the Beaufort County Legislative Delegation.

Item 17. Beaufort County Water Authority and Port Royal Ports Authority\$ 3,000.00

Provided, that the funds appropriated under this item shall be expended only upon the prior approval of the majority of the Beaufort County Legislative Delegation.

Total, Item 17\$ 3,000.00

GRAND TOTAL\$361,073.33

SECTION 3. Building permits may be issued by the auditor, magistrates or Sheriff of Beaufort County and shall identify the property upon which the construction is proposed to be done in such manner as to enable the Special Tax Assessor to determine the exact location thereof. The person issuing the permit shall assist the Tax Assessor in locating such property on the county tax maps.

On or before the tenth day of each month, a record of all building permits issued during the preceding month shall be filed with the Special Tax Assessor.

SECTION 4. There is hereby appropriated out of the general county funds the sum of twenty thousand dollars, if so much be necessary, as a contingent fund, three thousand dollars of which may be spent upon the direction of the County Board of Directors to take care of any contingencies arising in the administration of matters

for which appropriations are made, and seventeen thousand dollars of which may be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator, to take care of any contingencies arising for which no appropriations are made.

SECTION 5. All monies paid to the Treasurer, the Sheriff or other public officials of Beaufort County, as interest on the deposit of funds in their custody, shall be accounted for by such officials as public funds are accounted for. The interest received on account of such deposit of funds shall be added to the principal of such fund.

SECTION 6. All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the County Board of Directors, the County Board of Education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of seven cents per mile.

SECTION 7. The County Treasurer is hereby authorized to borrow, in anticipation of the collection of taxes herein levied for general purposes and of other funds to be credited to the general county account, in an amount not to exceed fifty thousand dollars, if same be necessary; and he is hereby also authorized to borrow, in anticipation of school taxes herein levied, in an amount not to exceed one hundred fifty thousand dollars; if the funds are available in sinking funds in his hands the Treasurer may loan such amount, taking the note of the County Board of Education, payable in not more than ten months, and bearing interest at not more than four per cent per annum. All interest earned on such loans shall be credited to the account from which the loan was made.

SECTION 8. For the maintenance of Beaufort County Library there is hereby appropriated the sum of fourteen thousand dollars, and the Auditor and Treasurer of Beaufort County are hereby authorized to levy and collect the necessary number of mills on all taxable property in Beaufort County, to be expended by the trustees of the library. The County Treasurer, on or about the first day of February of each year, shall report to the Legislative Delegation all funds collected from this source as well as showing all amounts

turned over to the trustees of the library. All unexpended funds collected for the purpose herein stated, which remain unexpended at the end of each year, shall be credited by the county treasurer to the trustees of the library for the ensuing year and shall not be turned into the county funds; *provided*, that not less than seven thousand five hundred dollars of the amount herein appropriated shall be used for the maintenance and operation of the Beaufort Township Library and not less than two thousand three hundred dollars of the amount herein appropriated shall be used for the maintenance and operation of the Saint Helena Township Library.

SECTION 9. To finance the maintenance and operation of the public school system of Beaufort County for the school year 1961-1962, there is hereby appropriated the sum of one million, eight hundred fifty-one thousand and thirty-two dollars, to be expended for the following purposes in the amounts indicated.

	Dist. No. 1	Dist. No. 2	Co. Bd.	Total
Administration ..	22,000.00	14,080.00	43,000.00	79,080.00
Instruction	1,268,605.00	174,339.00		1,442,944.00
Transportation ..	4,850.00	1,495.00		6,345.00
Operation	102,600.00	21,438.00	800.00	124,838.00
Maintenance	39,500.00	19,500.00	900.00	59,900.00
Fixed Charges ..	13,500.00	3,100.00	125.00	16,725.00
Food Services ..	16,400.00	3,705.00		20,105.00
Capital Outlay ..	18,800.00	2,000.00	1,500.00	22,300.00
Transportation ..	27,810.00	5,625.00		33,435.00
Lunchroom			42,000.00	42,000.00
Adult Education ..	3,000.00	360.00		3,360.00
	1,517,065.00	245,642.00	88,325.00	1,851,032.00

This appropriation is based upon estimated revenue from county, State and Federal sources, and if such funds as estimated are not available, the operating budget shall be reduced to conform to the revenue.

All liquor tax, beer and wine tax, poll tax, dog tax, and marriage license fees accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State and all Federal aid under the Farm Veterans program, the G. I. Training program, and the School Lunch program, and any other funds which

may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes.

SECTION 10. To finance the maintenance and operation of the University of South Carolina Extension at Beaufort, S. C., there is hereby appropriated the sum of twenty-eight thousand dollars to be expended as follows:

Salaries:	
Director	\$ 6,600.00
Secretary	2,400.00
To University of South Carolina for Instruction	14,100.00
Purchase of Equipment	1,500.00
Office, Classroom and Lab Supplies	1,900.00
Utilities, Maintenance, Postage and Insurance ..	1,500.00
	<hr/>
	\$ 28,000.00

The Beaufort County Higher Education Commission shall administer the expenditure of these funds. The appropriation herein provided shall be included in the levy for educational purposes.

SECTION 11. The County Board of Education is directed and authorized to pay out of the salary appropriated in Section 10 for Administration, the following:

Salary—Superintendent of Education\$1,320.00

The salary herein provided for the Superintendent of Education shall be in addition to and shall supplement the appropriation made in the State Appropriation Act for the salary of the County Superintendent of Education. The salary hereinabove provided to be paid by Beaufort County shall be paid in equal monthly installments.

SECTION 12. Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the County Superintendent of Education.

SECTION 13. For the operation and maintenance of Beaufort Memorial Hospital, there is hereby appropriated the sum of fifteen thousand dollars, if so much be necessary, to be paid to Beaufort Memorial Hospital in equal quarterly installments.

On the request of the Board of Regents, of the Beaufort Memorial Hospital Association, or its duly authorized agent, the Sheriff of Beaufort County shall provide transportation from any part of Beaufort County to the Beaufort Memorial Hospital of charity patients in the event of an emergency or a great need for the early transportation of such patient or patients to the hospital for the emergency or urgent treatment, operation, etc.

SECTION 14. In order to facilitate the preparing of the county appropriation act by the Legislative Delegation, the County Treasurer shall, on or before the first day of February of each year, in writing, report to the Legislative Delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on bonds. The County Treasurer shall annually, not later than February first of each year, furnish the members of the Legislative Delegation with a detailed statement of the status of the bond account, school, county and Township of Beaufort County.

The County Board of Education of Beaufort County shall, on or before the first day of February of each year, report to the Legislative Delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the Legislative Delegation, on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the Legislative Delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 15. All transfers of funds heretofore made by the County Treasurer from one account to another made upon the written request of a majority of the Beaufort County Legislative Delegation including the Senator are hereby validated.

SECTION 16. There is hereby appropriated out of ordinary county funds of the county the sum of fifteen hundred dollars, if so much be necessary, to have an audit made of county offices, and a copy of the audit forwarded to each member of the Legislative Delegation, solicitor and foreman of the Grand Jury.

SECTION 17. Any motor vehicle confiscated pursuant to law by law enforcement officials of Beaufort County and any motor vehicle abandoned on the highways of Beaufort County and unclaimed after the notice provided for by law may be retained by such confiscating authorities for use in law enforcement purposes within the county.

SECTION 18. The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose and the rental of such equipment shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

Provided, that upon the board of directors' determination that an emergency need for the equipment exists such of the above limitations shall not apply.

SECTION 19. No person or position for which a salary is specifically appropriated in this act shall be paid or receive additional compensation from county funds for service performed in the job or position for which such salary is appropriated.

Where practical, all County offices shall remain open Monday through Friday from 9 to 5 and Saturday from 9 to 12 noon and that holidays as set forth in Section 64-151 to Section 64-153, Code of Laws of South Carolina, 1952, shall be observed, further during the period from May 1 to September 1, county offices may close during the hours set forth in Section 14-1016 of the Code of Laws of South Carolina, 1952, as may be practical. Office hours shall be posted in accordance with the above in each public building.

SECTION 20. Any amount appropriated in this act may be discontinued at any time by an order of a majority of the Beaufort County Legislative Delegation, including the Senator, obtained at a regularly called meeting.

SECTION 21. The Treasurer of Beaufort County is hereby authorized upon approval by a majority of the county legislative delegation, including the Senator, to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of

Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Beaufort County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

For the payment of the note or notes the Auditor of Beaufort County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R7, H1031)

No. 485

An Act To Declare The Commissioners Of Hanahan Public Service District In Berkeley County Duly Elected.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Commissioners of Hanahan Public Service District declared elected.—Bennie Padgett, J. D. Kelly and V. B. Staton having been nominated in the regular primary of the State of South Caro-

lina held in 1960 to the office of commissioners on the Hanahan Public Service District Commission, said individuals are hereby declared to have been duly elected to the office of commissioners of the district.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1961.

(R596, H1886)

No. 486

An Act Authorizing The Closing Of Certain Roads In Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Roads in Berkeley County may be closed.—The eastern one hundred fifty feet of Azalea Avenue, and Plantation Way, extending from Azalea Avenue to Middleton Drive in Berkeley County, designated as Highway S-8-332, shall be abandoned and closed. The title to that portion of the roads closed shall vest in the person granting the rights of way to the county or State.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R680, H1920)

No. 487

An Act To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1961; To Direct The Expenditures For General County

Purposes; To Exempt Craver Industries, Inc., From Certain Taxes; To Provide For Certain Loans; And Relating To The Administration Of The Business Of Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

PART I

SECTION 1. A tax of fourteen mills is hereby levied upon all the taxable property of Berkeley County for county purposes for the fiscal year beginning July 1, 1961, which, together with all the monies then in the hands of the county treasurer, or coming into his hands after July 1, 1961, from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the county and not specifically pledged for some other purpose, shall be used and same is hereby appropriated in the amount and for the purposes hereinafter stated:

Item 1. Roads and Bridges	\$ 72,000.00
<hr/>	
Total, Item 1	\$ 72,000.00
Item 2. Salaries:	
A. Clerk of Court	\$ 1,200.00
<i>Provided</i> , the Clerk of Court shall receive in addition the fees of his office as provided by law.	
B. Clerks to Clerk of Court (2)	6,000.00
C. Sheriff	5,000.00
<i>Provided</i> , the Sheriff shall receive an allowance of \$250.00 per month for travel and expenses	3,000.00
<i>Provided</i> , further, the Sheriff shall be furnished an automobile for official duties; and the Sheriff's office shall retain fees for service of papers.	
D. Clerk to Sheriff	3,000.00
E. (a) Four Deputy Sheriffs—\$300.00 each per month as salary and \$100.00 each per month for travel	19,200.00
(b) Uniforms, radio equipment and decals for Sheriff's office	2,000.00
(c) Radio-Teletype Operator	3,000.00
F. Tax Collector	4,000.00

<i>Provided</i> , the Tax Collector shall receive an allowance of \$180.00 per month for travel and expenses		2,160.00
<i>Provided</i> , further, the Tax Collector shall be furnished an automobile for official duties.		
G. Clerk to Tax Collector		3,000.00
H. (a) Jailor		3,000.00
(b) Matron for Jail—\$25.00 per month		300.00
I. Treasurer (see proviso below)		2,000.00
J. Clerks to Treasurer (2)		6,000.00
K. Auditor (see proviso below)		2,000.00
L. Clerks to Auditor (2)		6,000.00
<i>Provided</i> , the Auditor and Treasurer shall receive in addition to the respective salaries, the fees of their offices as provided by law; the salary paid them by the State, which is \$3,498.00; and the sum of \$600.00 each for travel		1,200.00
M. Probate Judge		3,000.00
<i>Provided</i> , the Probate Judge shall receive all fees of the office, including marriage license fees.		
N. Clerk to Probate Judge		3,000.00
O. (a) Master in Equity		1,800.00
<i>Provided</i> , the Master shall receive all fees of the office.		
(b) Stenographer (part time)		1,200.00
P. Coroner		1,000.00
Q. Supervisor		5,000.00
<i>Provided</i> , the Supervisor shall also receive \$150.00 per month for travel		1,800.00
R. Clerk to Supervisor		3,000.00
S. Clerk to Solicitor		300.00
T. County Attorney		3,000.00
<i>Provided</i> , the County Attorney shall upon official request furnish legal advice and services to any person holding a county or school office; <i>Provided</i> , further, that he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the county or any school unit thereof.		
U. Assistant Solicitor		600.00

V. Magistrates and Constables:

(1) Nine Magistrates at \$720.00 each	6,380.00
(2) One Magistrate at County Seat	1,920.00
(3) One Magistrate at St. Stephen	1,320.00
(4) One Magistrate at Bonneau	1,320.00
(5) One Magistrate at Hanahan District	1,620.00
(6) One Magistrate at Jamestown	1,320.00
(7) One Magistrate at Goose Creek	1,320.00
(8) Office rent for Magistrates	1,800.00

Provided, that each magistrate before receiving his salary for any month shall file with the county treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fines or sentences imposed or other disposition made of cases; and at such time shall pay over to the treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.

(9) Fourteen Constables at \$720.00 each ...	10,080.00
--	-----------

Provided, that no Constable is provided for the Magistrate at the County Seat as processes issued by him shall be served by the Sheriff's office.

(10) Magistrate's Constables and Radio Dispatchers in Hanahan District	13,375.00
(11) Magistrate's Constables at Goose Creek	5,400.00

Provided, a breakdown of the appropriations in (10) and (11) hereinabove shall be approved by a majority of the County Legislative Delegation prior to disbursement.

W. Janitors—Office Building and Courthouse ...	6,600.00
X. Special Beach Deputies	1,400.00
Y. Berkeley County Civil Defense	7,500.00

Provided, a budget showing details of this appropriation shall be approved by a majority of the County Legislative Delegation prior to disbursement.

Total, Item 2\$157,115.00

Item 3. County Health Department:

Operation, Maintenance and Incidentals\$ 15,000.00

Total, Item 3\$ 15,000.00

Item 4. County Boards and Farm Offices:

A. County Board of Education (\$100.00 each)...	\$ 600.00
B. (1) Nine County Tax Assessors	1,800.00
(2) Tax Board of Review	1,800.00
C. Boys' 4-H Club Work	300.00
D. Girls' 4-H Club Work and Women's Work ..	300.00
E. Clerk to Home Demonstration Agent (part time)	540.00
F. Clerk to County Agent (Supplement)	540.00
G. Demonstration Supplies, both offices	100.00
H. Stamps and Incidentals, both offices	50.00
I. Negro Agriculture Agent (Supplement)	720.00
J. Negro Home Demonstration Agent (Supple- ment)	720.00
K. Negro Boys' 4-H Club Work	250.00
L. Negro Girls' 4-H Club Work and Women's Work	250.00
M. Office expense—Negro Ag. and H. D. Agents.	125.00
N. Clerical expense—Negro Ag. and H. D. Agents	1,500.00
O. Soil Conservation Committee	200.00
P. Supplement County Agent and Associate Agent for travel, \$480.00 each	960.00
Q. Assistant Agent for travel	480.00

Total, Item 4\$ 11,235.00

Item 5. Department of Public Welfare:

A. Supplement to County Director's Salary	\$ 600.00
B. Travel for five Field Workers	2,000.00
C. Foster Home Care	1,500.00
D. Emergency Relief	1,000.00
E. Conference Attendance Expenses	75.00
F. Salary Supplement—Child Welfare Worker...	1,200.00

Total, Item 5\$ 6,375.00

Item 6. Jail and Prisoners:

A. Maintenance of Prisoners for dieting, etc., claims to be approved by Sheriff	\$ 5,000.00
B. Transporting Prisoners	500.00
Total, Item 6	\$ 5,500.00

Item 7. Miscellaneous Appropriations:

A. Jurors, Witnesses and Bailiffs	\$ 3,000.00
<i>Provided</i> , that jurors at Coroner's inquest shall receive pay in the same manner and amount as circuit court jurors.	
B. Assistance to aged, helpless and poor by the county	4,000.00
C. Post-mortems, inquests and lunacies	1,000.00
D. Courthouse and County Office Building— Maintenance and Operation	18,000.00
E. Workmen's Compensation and Retirement	17,000.00
F. Printing, postage, record books, and office supplies for county offices	7,000.00
<i>Provided</i> , prior to purchases desired hereunder, requisitions shall be made to the county supervisor and approved by him before such purchases shall be made.	
G. Vital Statistics	675.00
<i>Provided</i> , that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.	
H. Berkeley County Library—salaries, operation and maintenance	15,000.00
<i>Provided</i> , a budget showing details of the appropriation shall be approved by a majority of the County Legislative Delegation prior to disbursement.	
<i>Provided</i> , further, the Bookmobile shall be traded in for a new one and the cost shall be financed over a period of three (3) years. There is hereby appropriated for the first annual payment of principal and interest the sum set forth opposite	
I. Miscellaneous Contingent Fund	3,000.00
	5,000.00

J. Supplement for County Board of Registration— \$300.00 each	900.00
K. Service Officer—travel and office expenses.... <i>Provided</i> , the Service Officer shall also be paid the full appropriation by the Sate for this office.	600.00
L. County Development Board	3,000.00
Total, Item 7	<u>\$ 78,175.00</u>

GRAND TOTAL—APPROPRIATIONS ..\$345,400.00

Estimated Revenue:

State Sources:

One cent gasoline tax (Less \$11,500.00 pledged for Purchase of Machinery)	\$ 75,500.00
Income tax	56,000.00
Alcoholic liquor tax	25,000.00
Beer and wine tax	7,000.00
Insurance license tax	10,000.00

Total derived from State Appropriations here-
in\$173,500.00

County Sources:

Fourteen mills property tax and Executions...\$120,000.00	
Road tax and executions	10,000.00
Fines and forfeitures	28,000.00
Santee-Cooper payment in lieu of property taxes	15,500.00

Total derived from County Sources for Appro-
priations herein\$173,500.00

GRAND TOTAL — ESTIMATED REVE-
NUE\$347,000.00

Millage for All Purposes:

County purposes—14 mills	
School purposes—40 mills	
Hospital—4 mills (plus 50¢ per capita for welfare patients)	
County bonds—11 mills	
Hospital bonds—1 mill	
School bonds—12 mills	
Total	82 mills

SECTION 2. For the purpose of providing hospital care for the indigent in Berkeley County, there is hereby levied a tax of four mills on all taxable property in Berkeley County. Said tax shall be levied and collected by the same officers and in the same manner as provided by law for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed to the credit of the Berkeley County Hospital, a private eleemosynary institution, and shall be paid by the county treasurer on warrants approved by the county supervisor. The funds provided herein are in addition to the allocation of fifty cents per capita from the income tax for hospital care under State law.

SECTION 3. All items herein which are to be paid out as salaries for officers or clerks of the county shall be expended in the usual manner in twelve equal monthly installments and not otherwise, and no more, and in case any officer or clerk, as aforesaid, shall resign, or otherwise vacate his or her office or position before the expiration of the fiscal year, he shall be entitled to said monthly installments on a pro rata basis for the month, or parts of month actually served, and no more; *provided*, that all appropriations herein for clerks shall only be paid to clerks regularly employed and serving in the office in which employed during the office hours of said office. Each of the clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

SECTION 4. It is hereby reaffirmed by the county legislative delegation that all purchases paid for by the county shall be made from business concerns within the county insofar as same is economically feasible and said purchases shall be fairly divided among the concerns in the county.

SECTION 5. For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1961, as authorized by this act, or otherwise appropriated, in anticipation of the collection of taxes, or the receipt of revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow, from time to time, as may be necessary in their judgment, on note or notes, or other evidences, of indebtedness of the county, executed by the said county officials from any person, firm or corporation, or

from the Treasurer's Reserve Fund, or other dormant funds; and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the fourteen-mill tax levied in Section 1 hereof, the four mills levied in Section 2 hereof, the commutation tax and any State revenues, may be pledged to secure the payment thereof; and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which they are borrowed.

SECTION 6. The Treasurer of Berkeley County shall be and he is hereby authorized to refund to any taxpayer the amount of taxes for any year which may have been collected by error of double entry.

SECTION 7. The fees and costs to be paid to the county treasurer as provided by law shall be paid to the person holding said office at the time the delinquent taxes on which such fees and costs are chargeable were placed with the proper official for collection of same.

SECTION 8. For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of Berkeley County shall levy a tax of not exceeding twenty-eight mills, the exact millage to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1961, and approved by a majority of the county legislative delegation, upon the taxable property within the territorial limits of such district, which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, as provided in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the same manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the county treasurer and paid out on warrants of the commissioners of the district.

SECTION 9. The Berkeley County Board of Education is authorized to continue the employment of Mrs. Lewis G. Fultz and W. M. Bonner, Sr., notwithstanding the age requirement of the State Retirement System.

SECTION 10. In keeping with the established policy of allowing new industry five years' exemption from payment of taxes levied for county purposes, Craver Industries, Inc., is hereby exempted from

the payment of property taxes for the year 1961 levied for county purposes. (A similar exemption will be carried for the next four consecutive years.)

SECTION 11. All county offices may be closed at twelve noon on each Wednesday during the months of June, July and August.

PART II

TAX LEVY FOR SCHOOL PURPOSES

SECTION 1. There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1961 a tax of forty (40) mills, the proceeds of which shall be used for general school purposes for the fiscal year 1961-1962, such purposes to be set forth in the county school budget for such fiscal year to be adopted as provided by law. The tax shall be assessed and collected as other property taxes are assessed and collected.

PART III

SECTION 1. The Treasurer and Supervisor of Berkeley County are authorized to borrow for general county purposes the sum of sixty-five thousand dollars from such source and at such rate of interest as they deem best. The amount borrowed shall be evidenced by a note or notes, to be executed by the treasurer and the supervisor. The notes shall be payable in three consecutive, equal, annual installments. The first installment shall be paid eighteen months from the date of the note or notes. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. For the payment of the note or notes, the Auditor of Berkeley County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

PART IV

SECTION 1. The Treasurer and Superintendent of Education of Berkeley County are authorized to borrow for permanent improvements for schools the sum of two hundred thousand dollars from such source and at such rate of interest as they deem best. The amount borrowed shall be evidenced by a note or notes, to be executed by the Treasurer and the superintendent of education. The notes shall be payable in three consecutive, equal, annual installments. The first installment shall be paid eighteen months from the date of the note or notes. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

PART V

SECTION 1. All acts or parts of acts inconsistent herewith are repealed.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R40, H1153)

No. 488

An Act To Make Supplemental Appropriations For The Fiscal Year 1960-1961 From The General Fund Of Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1960-1961 are made from the General Fund of Calhoun County:

Roads and Bridges	\$ 2,439.25
Jail Expense	200.00
Post Mortems & Inquests	100.00
Lunacies	100.00
Retirement	200.00
Workmen's Compensation	300.00
Public Buildings	2,000.00
Contingent	3,000.00
Hospitalization	1,500.00

Social Security	1,000.00
Fire Insurance	325.00
Total	\$ 11,164.25

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R607, H1790)

No. 489

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1961-1962, And For The Expenditure Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified:

School District No. 1: 34 mills for the operation of the schools in said district.

School District No. 2: 38 mills for the operation of the schools in said district.

SECTION 2. For county purposes for Calhoun County for the fiscal year 1961-1962, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of eight mills upon all the taxable property of Calhoun County to meet the appropriations made herein for general county purposes after deducting all other available income and revenue.

For construction and maintenance of roads and bridges and the support of county chain gang and floating gangs	\$ 28,500.00
Equipment and Repairs, Road Machinery	4,200.00
Clerk of Court	4,356.00

Deputy Clerk of Court	1,980.00
Sheriff	4,356.00
Travel allowance and automobile repairs for Sheriff (if so much be necessary)	800.00
Deputy Sheriffs—2 @ \$2,700.00 each	5,400.00
Travel allowance for deputies for use in their own cars—\$1,140.00 each	2,280.00
Auditor	858.00
Treasurer	858.00
Clerical Assistance, Auditor	1,980.00
Clerical Assistance, Treasurer	900.00
Clerical Assistance, Superintendent of Education	100.00
Travel Allowance, Superintendent of Education	200.00
Attorney for County	600.00
Coroner	600.00
Travel allowance for Coroner	60.00
Supervisor	4,356.00
Travel Allowance for Supervisor, if so much be necessary	800.00
Two County Commissioners, \$750.00 each	1,500.00
Clerk to Board of County Commissioners	1,980.00
Judge of Probate	4,356.00
Constables:	
First District	1,200.00
Second District	750.00
Third District	750.00
<i>Provided</i> , each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense	540.00
Magistrates:	
First District	1,650.00
Second District	960.00
Third District	960.00
Office Rent—Third District	120.00
<i>Provided</i> , the compensation provided for magistrates and constables is in lieu of all fees payable by the county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees,	

which shall be in addition to their salaries: magistrates, one dollar; constables and sheriff, one dollar and mileage as provided in Section 27-451, Code of Laws of South Carolina, 1952, when prosecution in such cases is discontinued by settlement or compromise. *Provided*, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrates at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of his duties and the premium paid thereon out of the county contingent fund.

Tax Collector	450.00
Travel Allowance, Tax Collector	150.00
Board of Education	500.00
Board of Equalization	300.00
<i>Provided</i> , members of the board shall be paid six dollars per day.	
Jail expenses, including dieting of prisoners	1,200.00
<i>Provided</i> , the Sheriff shall be allowed one dollar per diem for dieting prisoners.	
Jurors, Bailiffs, Deputy Clerks and Witnesses ..	1,500.00
<i>Provided</i> , jurors in the general sessions and common pleas court shall receive six dollars per day and jurors in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.	
D.P.W. Emergency Fund	200.00
Contribution to Tuberculosis Work	800.00
Travel Allowances, County Lunch Supervisor ..	300.00
Office expense, County Lunch Supervisor	1,250.00
Rent, School Commodities Storage	300.00
Travel Allowances, Attendance Supervisor	300.00
Travel Allowances, County Service Officer	300.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00
Lunacies (to be used for medical examination and transportation)	150.00
Boys' 4-H Club	75.00

Girls' 4-H Club	75.00
Expense, Soil Conservation Supervisor	100.00
Home Demonstration Agent, supplies, contingent, stamps, etc.	100.00
Farm Agent, supplies, contingent, stamps, etc. . .	100.00
Farm Agent's salary supplement	450.00
Home Demonstration Agent's salary supplement	300.00
Clerical Assistant for Home Demonstration Agent and County Agent	600.00
County Libraries	7,370.00
To be expended by a committee of four in charge of such library, to be appointed by the legislative delegation.	
For retirement of county officers and employees, if so much be necessary	
Workmen's Compensation Premium	2,655.00
Public buildings, including janitor, water, lights, telephones and fuel	1,500.00
<i>Provided</i> , the same to be used for county purposes only.	
Printing, postage, stationery, supplies and repairs for county buildings, including salary of \$300.00 per year to the county supervisor as custodian of such buildings	
<i>Provided</i> , the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of the supervisor, and when so approved by him shall be paid by the county board of commissioners.	5,000.00
Miscellaneous Contingent	4,000.00
<i>Provided</i> , such funds shall be disbursed only upon written consent and with the authority of the legislative delegation.	
Jailor	1,800.00
Premiums on bonds for county officers	350.00
Hospitalization fee	5,000.00
<i>Provided</i> , that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with no-	

tice to any hospital to which such patient may be sent, that such payments will stop when the above amount has been exhausted and the county assumes no further responsibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.

County Health, if so much be necessary	6,710.50
Vital Statistics	300.00
Microfilm and Supplies	200.00
County share, Group Insurance	600.00
Historical Commission	1,800.00
To be advanced in installments as may be approved by the county board of commissioners.	
Social Security	1,300.00
Insurance on Sheriff's and Supervisor's automobiles	294.00
Fire Insurance on county buildings	1,905.96
Auditing the county affairs, 1960-1961	675.00
Rabies Control Officer, Travel	450.00
<i>Provided</i> , this sum shall be paid in monthly installments.	
National Guard Armory, Supplies and Company Fund	1,800.00
Development Board	500.00
Expense for circuit court solicitor	200.00
<hr/>	
GRAND TOTAL	\$138,060.46

SECTION 3. The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings,

parks, public landings and facilities as may be deemed necessary and advisable.

SECTION 4. All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

SECTION 5. If any of the sums above mentioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

SECTION 6. It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district, unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for said violations on his official bond; *provided*, however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided*, further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

SECTION 7. The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

SECTION 8. The supervisors shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the supervisor, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided*, however, the sheriff shall have entire oversight and care of the jail, and he shall employ the jailor for the same.

SECTION 9. The county board of commissioners shall appoint a bank or banks as depositories in which the county treasurer shall

deposit all monies coming into his hands as an officer; which appointment shall be by proper resolutions spread upon the minutes of the board. Such board shall from time to time, by resolution spread upon its minutes, make such requirements as may be deemed necessary for the safety of such funds so deposited, not inconsistent with the general laws of the State. If any of such funds are dissipated or lost by reason of the insolvency or failure of any such depository, then such dissipation or loss shall not constitute a liability on the official bond of the county treasurer nor a liability on the sureties thereon. In the event of the dissipation or loss of any such funds because of such insolvency or failure the county and State shall have a preferred claim against such bank for the amount of such dissipation or loss.

SECTION 10. All appropriations made herein are subject to the right and authority of the Calhoun County Delegation to change, alter or deduct therefrom at any time without notice, when in its judgment, such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided*, that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

SECTION 11. All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

SECTION 12. Appropriations of State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 13. Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 14. All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R10, S43)

No. 490

An Act To Authorize And Empower The Board Of Trustees Of School District No. 20 Of Charleston County To Issue General Obligation Bonds Of The District In An Amount Not To Exceed One Million Seven Hundred And Fifty Thousand Dollars Within The Applicable Constitutional Debt Limit Of The District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that careful surveys of the physical facilities of the public school system of School District No. 20 of Charleston County (hereafter called "the School District") have been made by the Board of Trustees of the School District (hereafter called "the Board") and by representatives of the State Educational Finance Commission of the State of South Carolina. Such studies have established that there is an urgent need for a new high school to be located in the eastern section of the City of Charleston (which City, as it was constituted prior to the recent annexation of territory west of the Ashley River, is coextensive with the territory constituting the School District), and that substantial improvements are required for several other school buildings now in use by the public school system of the School District. The General Assembly takes note of the fact that the applicable constitutional limitation controlling the bonded debt of the School District is eight per cent and that the costs of the entire program, which require not only the building and equipping of a new high school and the improving and enlarging of other existing school buildings, but the acquisition of much other new equipment as well as land, may require an outlay in excess of that immediately permitted by the exist-

ing constitutional debt limitation. It notes, however, that the existing bonded indebtedness of the School District is being reduced in each year, and that the program now contemplated might well extend over a period of several years. It has, therefore, determined to permit the Board to expand public school facilities in the School District during the period of the next several years, and in order to provide a means of defraying the costs of such program, to give the Board continuing authority to issue bonds without an election, at any time prior to December 31, 1965, to the extent that, on the occasion when any of such bonds are issued, the bonded debt then to exist will not exceed the eight per cent debt limitation applicable to the School District; *provided*, that the total of all bonds issued pursuant to the authority of this act shall not exceed one million seven hundred and fifty thousand dollars.

SECTION 2. Charleston County School District 20 may issue bonds.—The Board is hereby authorized and empowered to provide such additional public school facilities as it shall deem necessary and to repair, enlarge, and improve the existing facilities. It is hereby further empowered to acquire land for school purposes and to acquire all equipment that it may deem needed for existing or new facilities. In order to raise moneys to provide such additional public school facilities for the School District, the Board is hereby authorized and empowered to issue and sell general obligation bonds of the School District (without the necessity for holding any election) on such occasions prior to December 31, 1965, and to such extent as the Board shall approve; *provided*, that no bonds of the School District shall be issued if, on the particular occasion that the bonds are issued, the applicable constitutional debt limitation shall be exceeded.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in each year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity at par and accrued interest, plus such redemption

premium as may be prescribed by the Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

SECTION 8. Execution.—The bonds and the coupons to be thereunto attached shall be executed in such manner as the Board shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as they mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the School District, sufficient to pay the principal and interest of the bonds as they re-

spectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County, to be deposited in a bond account fund for the School District, and shall be expended and made use of by the Board as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be used for the following purposes:
 - (i) To defray the cost of issuing the bonds authorized by this act;
 - (ii) To provide for additional public school facilities for the School District in the manner contemplated by Section 2 of this act.
- (d) If, after the final completion of the Board's program the Board shall certify to the Treasurer of Charleston County that any remaining balance in the Bond Account is no longer needed for its program, then such balance shall be held by the Treasurer and used to effect the retirement of bonds then outstanding which shall have been issued pursuant to this act.

SECTION 13. Powers of board.—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

SECTION 14. No further action required for issuance of bonds.—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the Board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

SECTION 15. Power to issue bonds to be restored.—Subsequent to December 31, 1965, all powers to issue bonds by the Board under any general law then existing shall be restored.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R21, H1071)

No. 491

An Act To Validate And Confirm An Issue Of One Million Dollars City Of Charleston Municipal Yacht Basin Revenue Bonds (Additionally Secured), Including The Covenants And Undertakings Made By The City Council Of Charleston In Connection Therewith, Including Those Relating To A Pledge Made By The City Council Of Moneys Derived From Business License Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that :

A. The City Council of Charleston proposes to effect the construction of certain harbor improvements, piers and docks of the sort common to marinas or yacht basins, on a tract of land within the City of Charleston, owned by the City Council of Charleston, and formerly leased to the United States as a base for its Atlantic Minecraft operation, and to secure the same by a pledge of the net revenues to be derived from the operation of such facility, with the additional pledge of so much as may be required to debt service the bonds as shall be annually derived by the City Council of Charleston from business licenses levied and imposed pursuant to the Statute of South Carolina, codified as Section 47-407 of the Code of Laws of South Carolina, 1952, as amended ;

B. Such undertaking is authorized by the Revenue Bond Act for Utilities (Code Sections 59-361 to 59-415, inclusive), as amended ;

C. The issuance of bonds secured by net revenues from such a project and additionally secured by other revenues which the City may derive from all other sources, except the proceeds of ad valorem taxes, is specifically authorized by Act No. 662 of the Acts of 1960, which amends Section 59-364 of the Revenue Bond Act for Utilities, if the project undertaken by the municipality shall be combined with its Airport;

D. By reason of the fact that the undertaking of the City Council of Charleston relates only to harbor improvements of the sort above described, a question has arisen as to whether it is within the compass of Act No. 662 of 1960; and

E. By reason thereof the General Assembly is minded to:

(1) set at rest any question that might exist as to the power of the City Council of Charleston to undertake and to finance the project and to obligate and bind itself and its successors to effect the payment of the bonds issued for such purpose through the means of a pledge of the net revenues of such project and so much of the moneys as may be necessary for debt service as shall be derived from business license taxes; and

(2) to specifically validate and approve covenants made to implement such pledges.

SECTION 2. Actions by City Council of Charleston validated.—

All action heretofore or hereafter taken by the City Council of Charleston in undertaking to construct harbor improvements consisting of piers, docks, buildings, parking areas, and other facilities auxiliary thereto, on the tract of land described in Section 1 of this act, is hereby validated, approved and confirmed, and such project is declared to be a project authorized by the Revenue Bond Act for Utilities, as amended.

SECTION 3. Issuance of bonds validated.—

All action heretofore or hereafter taken by the City Council of Charleston and purporting to be done pursuant to the Revenue Bond Act for Utilities, as amended, in financing the project through the issuance and sale of one million dollars City of Charleston Municipal Yacht Basin Revenue Bonds (Additionally Secured), is hereby ratified, approved and confirmed, including specifically the following action:

(a) The agreement that the net revenues derived from the project, remaining after the reasonable and proper costs of operation

and maintenance, shall be pledged to the payment of the principal and interest of such bonds;

(b) The agreement that so much of the moneys (as required therefor) as the City Council of Charleston shall derive from business license taxes, imposed pursuant to Section 47-407, Code of Laws of South Carolina, 1952, as amended, shall be pledged to the payment of the principal and interest of such bonds;

(c) The undertaking of City Council in adopting an ordinance or ordinances authorizing the issuance of the bonds, that it and its successors will hereafter avail themselves of the powers authorized by Section 6 of Article VIII of the Constitution of the State of South Carolina, and implemented by statutes thereunto relating, to annually thereafter impose business license taxes sufficient to provide debt service for such bonds; and

(d) The action taken in creating a Debt Service Reserve Fund in a fixed amount to insure the payment of the principal and interest of such bonds.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of February, 1961.

(R74, S119)

No. 492

An Act To Authorize The County Council Of Charleston County To Issue And Sell Not Exceeding One Million Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Conditions Under Which The Bonds May Be Sold, The Conditions Under Which Their Proceeds Shall Be Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the County Council of Charleston County, which is the public agency upon whom is devolved the

principal governmental functions relating to the administration of county affairs in Charleston County, having been created by Act No. 764 of the Acts of 1948, as amended, hereinafter called "County Council" may incur indebtedness on behalf of Charleston County as follows:

(a) County Council is authorized by Act 968 of 1960, to issue not exceeding five hundred thousand dollars of general obligation notes of Charleston County in order to raise money to defray the cost of a project contemplating the valuation, photographing and mapping of each and every parcel of real property in Charleston County, under the supervision of the Charleston County Board of Assessors, created by Act 779 of 1960. The obligations were denoted as general obligation notes, and it was provided by Act No. 968 of 1960 that they shall mature not later than six years from the date of their issuance. The legislation authorizing the foregoing project contemplates that all real property be placed upon the tax books and valued in such a way that all assessments of real property be made in a manner conformable to applicable constitutional and statutory provisions.

(b) County Council, as a consequence of proceedings taken in pursuance of Act No. 764 of 1948, being those provisions of the act codified as Sections 14-1191 to 14-1195, Code of Laws of South Carolina, 1952, inclusive, including the favorable results of an election held to determine if it should be empowered to issue bonds, is authorized to issue not exceeding seven hundred fifty thousand dollars of general obligation bonds of Charleston County, whose proceeds are intended to safeguard and improve the public health of Charleston County through a program of mosquito and insect control; involving the construction of drains, dykes, banks and other processes.

Under those authorizations the indebtedness to be incurred by Charleston County would be evidenced by two separate types of obligations, notwithstanding that they would be both of like tenor, inasmuch as both are payable from the proceeds of ad valorem taxes upon all taxable property in Charleston County.

In view of this situation, the General Assembly has determined that it will, by this special enactment, provide a new vehicle by which County Council, acting pursuant to this act, and without regard to existing legislation and the proceedings already taken, will issue one issue of general obligation bonds of Charleston County, in the aggregate amount of one million two hundred fifty thousand dollars,

.

whose proceeds will be used to defray the cost of the two projects which County Council is now authorized to undertake.

SECTION 2. Charleston County may reassess property and undertake insect control program.—The General Assembly expressly authorizes County Council to undertake a project or program by which each and every parcel of real property in Charleston County will be photographed, mapped and valued, under the direction of the Charleston County Board of Assessors, and the County Director of Assessments of Charleston County, at a cost of not exceeding five hundred thousand dollars, in order that upon the completion of such program all real property in Charleston County shall be assessed in a manner conformable to the applicable constitutional and statutory provisions controlling the assessment of property, it being recognized by the General Assembly that until all property is put upon the tax books and valued on the same basis, the equality in assessments required by the Constitution cannot be obtained. The General Assembly further expressly authorizes County Council to undertake a program intended to safeguard and improve the public health of Charleston County through the elimination or reduction of mosquitoes and insects through means of the construction of drains, dykes, banks and other processes, at a cost of not exceeding seven hundred fifty thousand dollars.

SECTION 3. May issue bonds.—In order to provide the funds required for the two projects authorized to be undertaken by this act, County Council may issue general obligation bonds of Charleston County in the aggregate principal amount of not exceeding one million two hundred fifty thousand dollars.

The action to be taken by County Council in effecting the issuance of the bonds authorized by this act may be taken at special or regular meeting and may be in the form of a resolution which shall become effective immediately upon its adoption at the meeting at which it is presented, notwithstanding that the procedure herein authorized shall be different from the procedure authorized by Act No. 764 of 1948 for the issuance of bonds by County Council on behalf of Charleston County.

SECTION 4. Maturity.—The bonds shall be issued as a single issue. The bonds shall mature serially as follows: one hundred fifty thousand dollars of bonds shall mature on each of the first five anniversaries of the date as of which the bonds shall be issued; and the re-

maining five hundred thousand dollars of bonds shall mature in instalments of one hundred thousand dollars on the next succeeding five anniversaries of the date as of which the bonds shall be issued, so that the last of the bonds herein authorized shall mature on the tenth anniversary of the date as of which the bonds shall be issued.

SECTION 5. Redemption and interest.—The bonds may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the County Council. They shall bear such rates of interest as County Council shall determine, payable semiannually. They shall bear such date and be payable at such places as County Council shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Charleston County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as County Council may prescribe.

SECTION 6. Execution.—The bonds shall be executed, and the coupons authenticated, in such manner as County Council shall by resolution prescribe.

SECTION 7. Sale.—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Charleston County in a special fund, separate and distinct from all other funds, and shall be expended, upon the order or warrant of County Council, to:

- (a) Defray the cost of issuing the bonds;
- (b) To provide moneys to the extent of not exceeding five hundred thousand dollars for the program of photographing, mapping and valuing each and every parcel of real property in Charleston County; and
- (c) To provide moneys to the extent of not exceeding seven hundred fifty thousand dollars to safeguard and improve the public health of Charleston County through the program of mosquito and insect control spoken of above.

Any costs incurred in the issuance of the bonds shall be divided between the projects herein authorized in the proportion that the sum intended for each bears to the total of bonds issued.

If any moneys shall remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 9. Payment.—The full faith, credit and taxing power of Charleston County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 10. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act 730 of 1952.

SECTION 11. Certain authorizations rescinded.—In view of the authorizations set forth in this act, the authorizations under which County Council would have otherwise proceeded are herewith rescinded to the extent that County Council shall avail itself of the authorizations of this act.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R242, S256)

No. 493

An Act To Authorize The State Board Of Health To Continue The Employment Of Dr. Leon Banov As Health Officer, Or In An Associate Capacity, For Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Employment of Dr. Leon Banov by Charleston County Health Department.—The State Board of Health is authorized to continue the employment of Dr. Leon Banov as Health Officer for Charleston County, or in an associate capacity, notwithstanding the age requirement of the State Retirement System.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R253, H1484)

No. 494

An Act To Empower The Board Of Township Commissioners Of Folly Island, In Charleston County, To Borrow Not Exceeding Fifteen Thousand Dollars To Obtain Funds To Pay The Cost Of Purchasing Fire Engines And Equipment, Garbage Trucks, Police Vehicles, Ambulances And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Folly Island may borrow money—purpose.—The Board of Township Commissioners of Folly Island, in Charleston County, are hereby authorized and empowered to purchase fire engines and equipment, garbage trucks, police vehicles, ambulances and to finance the cost thereof by borrowing not exceeding fifteen thousand dollars.

SECTION 2. Execution of loan.—Such loan shall be evidenced by a note or notes of such tenor, such rate of interest, and payable in such installments, the last of which being not more than five years from the date the loan shall be effective, as the Board of Township Commissioners shall determine. It may be placed with such person, corporation or financial institution as shall be selected by the board, and no public advertisement in order to effect the sale of such note or notes shall be required.

SECTION 3. Payment.—For the payment of the loan and interest thereon as the same shall mature, the full faith, credit and taxing power of the Township shall be pledged, and the Auditor of Charleston County shall levy, and the Treasurer of Charleston County shall collect, ad valorem taxes on all property in the Township sufficient for such purpose; *provided*, that if other revenues shall be available to effect the payment of such principal and interest, then the tax levy

herein authorized may be reduced or suspended to the extent that such other revenues shall be available.

SECTION 4. Exempt from taxes.—Such notes and the interest thereon shall have the tax exempt status prescribed by Act 730 of 1952.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R263, H1630)

No. 495

An Act To Make Disposition Of The Properties And Liabilities Of Those Special Purpose Districts In Charleston County, Wherein Were Situate Certain Areas In St. Andrew's Parish Annexed To The City Of Charleston By Reason Of The Special Election Held November 8, 1960, And To Provide For The Assumption Of Certain Contractual Obligations Of The Closed Sewer Systems In Lenear And Sandhurst Subdivisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly makes the following finds of fact:

(a) In a special election held on November 8, 1960, certain areas of St. Andrew's Parish in Charleston County voted to become a part of the City of Charleston, and thereafter, by action taken pursuant to Section 47-17, Code of Laws of South Carolina, 1952, such areas were annexed to the City of Charleston.

(b) Such areas were parts of the following special purpose districts heretofore created by legislative enactment:

(1) St. Andrew's Public Service District, created by Act No. 443 of 1949;

(2) Ashley Garbage Disposal District, created by Act No. 442 of 1949;

(3) St. Andrew's Parks and Playgrounds District, created by Act. No. 228 of 1957.

(c) Located in the annexed areas are certain physical properties which are not capable of being conveniently removed.

(d) Certain of the special purpose districts have outstanding obligations, as to which equitable disposition should be made.

(e) There is no general law which prescribes how properties of special purpose districts shall be disposed of if portions of such special purpose districts become annexed to incorporated municipalities, nor is there legislative enactment prescribing the manner or extent to which the obligations of such special purpose districts shall be assumed. Mindful of the foregoing, the General Assembly proposes, through the enactment of this act, to make provision for the disposition of the properties belonging to the special purpose districts which were comprised in part of the areas now merged into the City of Charleston, and to prescribe how the obligations of such special purpose districts shall be assumed.

SECTION 2. City of Charleston to assume certain obligations.

—The City of Charleston shall assume and pay a portion of the obligation of St. Andrew's Public Service District to Cummings and McCrady, Architects and Engineers, for plans and surveys made by them for sewage disposal facilities for St. Andrew's Public Service District, including the areas recently annexed to the City of Charleston, equal to the percentage of the taxable real estate of St. Andrew's Public Service District so annexed to the City of Charleston. The amount which the City of Charleston will pay under this provision is seven thousand eight hundred dollars.

No other liabilities or obligations contractual or otherwise of any of the special purpose districts shall be assumed by the City of Charleston, except as contained in Section 5 of this act, and all other obligations of any of the special purpose districts of which the annexed areas formed a part shall remain the obligations of the special purpose district originally incurring such obligation.

SECTION 3. Distribution of properties.—The following distribution of properties shall be made:

(a) All sewers and sewage disposal facilities which are situate within the annexed areas shall become the sole property of the City of Charleston.

(b) All real estate, easements, leaseholds, rights-of-way, and improvements to the same, and all public improvements, situate with-

in the annexed areas shall become the sole property of the City of Charleston.

(c) The City of Charleston shall have the right to make use of the plans for sewage disposal facilities made by Cummings and McCrady.

(d) One 1958 Ford scow truck and one 1956 Chevrolet packer truck, now the property of Ashley Garbage Disposal District, shall become the sole property of the City of Charleston.

(e) One fully equipped 1944 Chevrolet fire engine and one fully equipped 1949 Ford fire engine, now the property of St. Andrew's Public Service District, shall become the sole property of the City of Charleston.

(f) The City of Charleston shall receive fourteen per cent of all surplus funds of St. Andrew's Public Service District as of July 1, 1960.

(g) The City of Charleston shall receive ten per cent of all surplus funds of Ashley Garbage Disposal District as of July 1, 1960.

(h) The City of Charleston shall receive twenty-eight per cent of all funds in the special sewer improvement account of St. Andrew's Public Service District as of the effective date of this act.

(i) The City of Charleston shall receive fourteen per cent of the proceeds of all taxes with the exception of the three mill special levy for payment of the John McCrady bill, heretofore levied and heretofore or hereafter collected through April 15, 1961, by or for St. Andrew's Public Service District for the fiscal year begun July 1, 1960.

(j) The City of Charleston shall receive ten per cent of the proceeds of all taxes heretofore levied and heretofore or hereafter collected through April 15, 1961, by or for Ashley Garbage Disposal District for the fiscal year begun July 1, 1960.

(k) All other property, real, personal or mixed, and the proceeds of all taxes heretofore levied for the fiscal year begun July 1, 1960, and all prior fiscal years, except as otherwise herein provided, shall be the sole property of the special purpose district which, except for the annexation, would have been entitled to the same.

SECTION 4. Treasurer to take necessary action.—The Treasurer of Charleston County is directed to take such action as may be necessary to carry out the intents and purposes of this act.

SECTION 5. City of Charleston to assume certain obligations—further.—The City of Charleston hereby assumes all contractual obligations heretofore entered into for the operation of the now closed sewer systems in Lenear and Sandhurst subdivisions which have now been annexed to the city.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R295, H1627)

No. 496

An Act To Amend Section 2 Of Act No. 442 Of 1949, As Amended, Relating To The Ashley Garbage Disposal District In Charleston County, So As To Redefine The Territories And Areas Which Comprise The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 442 of 1949 amended—area of Ashley Garbage Disposal District.—Section 2 of Act No. 442 of 1949, as amended, is further amended to read as follows:

“Section 2. The aforementioned district shall include and be comprised of the following territories and areas in Charleston County:

(a) The territory on James Island comprising the James Island Water District; and

(b) The territory in St. Andrew's Parish comprising St. Andrew's Public Service District as is now or may hereafter be constituted.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R296, H1628)

No. 497

An Act To Amend Section 2 Of Act No. 443 Of 1949, As Amended, Relating To The St. Andrew's Public Service District In Charleston County, So As To Redefine The Territory And Areas In The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 443 of 1949 amended—area of St. Andrew's Public Service District.—Section 2 of Act No. 443 of 1949, as amended, is further amended to read as follows :

“Section 2. The aforementioned districts shall include and be comprised of the territory and areas in St. Andrew's Parish, Charleston County, as delineated on a plat of St. Andrew's Public Service District which is recorded in the office of the register of mesne conveyances for Charleston County in Plat Book ‘N’ at page 39.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R319, H288)

No. 498

An Act To Create The James Island Public Service District In Charleston County And To Provide That Bonds Of Such District May Be Issued In An Amount Not To Exceed One Hundred Thousand Dollars And To Provide For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. James Island Public Service District created—area.—There is hereby created in Charleston County a public service district designated as James Island Public Service District (hereinafter known as the District). The District shall include and be composed of all that area of James Island delineated as follows: beginning at the junction of the Ashley River and Wappoo Creek, thence along Wappoo Creek to Elliotts Cut, thence through Elliotts

Cut to the Stono River, thence along the Stono River to Kings Flat Creek, thence to Kings Flat into Long Island Creek, thence along Long Island Creek to Secessionville Creek, thence through Secessionville Creek to Clark Sound, thence to Schooner Creek, thence to the Charleston Harbor, thence to the Ashley River thence to point of beginning.

SECTION 2. District to be corporate body.—The James Island Public Service District shall be a body politic and corporate with perpetual succession, and shall exercise, through its Commission, the functions committed to it by this act and acts amendatory hereof.

SECTION 3. To be governed by a commission—members—appointments—terms—officers—vacancies—compensation.—The District shall be governed by a Commission to be known as the James Island Public Service District Commission (hereafter called the "Commission"), and all functions committed to the District shall be exercised by the Commission. The Commission shall consist of five members, two members shall be residents of James Island Precinct No. 1, two shall be residents of the remaining portion of James Island and one shall be appointed at large. The members shall be appointed by the Governor upon written recommendation of the Senator and a majority of the Charleston County Legislative Delegation. Except as provided herein for those initially appointed, each member of the Commission shall hold office for a term of three years and until his successor shall be appointed and shall qualify. Of those initially appointed hereunder, two shall serve for one year, two for two years and one for three years. Immediately following the appointment of the Commission, it shall meet and organize by electing a chairman and a secretary; thereupon the duration of the term of the initial appointees shall be determined by lot. Whereupon the secretary shall file with the Clerk of Court for Charleston County and the Secretary of State of South Carolina a certificate establishing the duration of the terms of the initial appointees. Any vacancy shall be filled for the unexpired term in the manner of the original appointment. The members of the Commission shall be paid compensation, from the funds of the Commission, in such amount as is approved as an item in the Annual Budget of the Commission.

SECTION 4. Duties.—The following functions are hereby committed to the James Island Public Service District viz.:

(1) The construction, operation, maintenance and enlargement of such system of sewers and sewage disposal as the Commission shall from time to time deem necessary to protect the health of those living in the District.

(2) The construction, operation, maintenance and enlargement of such system of fire protection as the Commission shall from time to time deem necessary to protect life and property within the District.

(3) The construction, operation, maintenance and enlargement of such system of street lighting as the Commission shall from time to time deem necessary to protect the safety of those living in the District.

(4) The construction, operation, maintenance and enlargement of such system of garbage disposal as the Commission shall from time to time deem necessary to protect the health of those living in the District.

SECTION 5. Powers.—To the end that the functions of the District may be conveniently exercised, its Commission shall be empowered to:

(1) Expend the proceeds of any tax levy made for the District, for such purposes and under such conditions as such tax levy shall from time to time be made: *provided*, that such tax levy shall be approved by the Senator and a majority of the members of the House of Representatives from Charleston County.

(2) Sue and be sued, (except that the right to be sued shall not extend any waiver of sovereign immunity).

(3) Adopt, use and alter a corporate seal.

(4) Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.

(5) Accept gifts and grants.

(6) Prescribe regulations requiring persons who shall be residents of the District to make use of any sewer system which the District shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the Commission, a certified copy thereof has been recorded in the office of the Register of Mesne Conveyance for Charleston County, a copy has been posted in the Charleston County Courthouse, and the notice of the adoption of the regulations shall be published at least once for three successive weeks in a newspaper published in Charleston County, and having general circulation in the District. The notice shall specify in brief the scope of the regulations, and shall state the

date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the Commission shall give public notice of the meeting which is to be held to consider their adoption, and the notice shall appear in a newspaper published in Charleston County, and having general circulation in the District, not less than seven days prior to the occasion fixed for the holding of such meeting. Any persons affected may attend such meeting and express their views on the proposed regulation. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water and sewer facilities, shall not be deemed to impose mandatory conditions upon the making or adoption of any other type of regulation authorized by this act.

(7) Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(8) Build, construct, operate and maintain a system for the collection and disposal of sewage, including the construction of sewer mains, sewer lines and sewage treatment and disposal plants, and from time to time to enlarge and extend the same.

(9) Purchase, or otherwise acquire, a supply of water for any water distribution system it may acquire and to that end to build, construct, maintain and operate water tanks, reservoirs, pumps and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale.

(10) Distribute and sell water on such terms and rates as it shall from time to time approve. To that end, the Commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system.

(11) Contract with any existing water company or municipality having mains adjacent to or in the District for the furnishing of water to the Commission, whether for resale or otherwise, and for the providing of any other services in connection with the operation of a water distribution system.

(12) Establish, operate and maintain a system of fire protection.

(13) Establish, operate and maintain a garbage collection service.

(14) Build, construct, operate and maintain a system for the lighting of streets.

(15) Construct, purchase, acquire, lease or otherwise provide poles, wires, transformers and all other material, equipment and instrumentalities for street lighting, and to make contracts and agreements for such purposes, and for electrical current for such system.

(16) Name all streets in the District in accordance with recommendations of the Charleston County Planning Board, and promulgate a numbering system and purchase and erect street name markers.

(17) Promulgate rules and regulations relating to the disposal of garbage throughout the District.

(18) Require a permit for connection with any sewer constructed and maintained by the Commission, and as a condition to the issuance of such permits to promulgate uniform regulations prescribing the type and manner of connections permitted to be made therewith, and to inspect such connections to insure compliance, and to make a reasonable charge for permits sufficient to cover the cost thereof and of such inspection.

(19) Place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system.

(20) Promulgate rules and regulations regarding fire hazards and the protection therefrom within the District, including appropriate powers to enforce the observance thereof, and provide for penalties for the non-observance thereof.

(21) Make use of county and State highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(22) Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952.

(23) Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(24) To contract with the Commissioners of Public Works of the City of Charleston for the collection of sewer charges imposed for

the use of any public sewage disposal system maintained by the District. Such contract may empower the Commissioners of Public Works to add charges made for the use of the sewage disposal system to the water bill of any person who shall obtain water from the Waterworks System operated by the Commissioners of Public Works, provided such person shall be a user of the public sewage system.

(25) Contract with any municipal or public agency for any or all of the services authorized under this act.

SECTION 6. Exempt from taxes.—The property of the District shall be exempt from all taxes of whatever kind or nature.

SECTION 7. Tax levy.—For the purposes of carrying out the functions of the James Island Public Service District and to provide funds therefor, the County Auditor shall levy and the Treasurer of Charleston County shall annually collect a tax of sufficient millage as is approved pursuant to Section 14-1182, Code of Laws of South Carolina, 1952, on all taxable property in the territorial limits of the District, the proceeds of which tax shall be placed to the credit of the James Island Public Service District Commission and paid out under warrants of its chairman and secretary for carrying out the purposes of this act and the functions of the Commission.

SECTION 8. Bids—records—audits.—The Commission shall advertise for bids for at least thirty days in one or more newspapers for all work to be done and the material to be used in constructing water, sewer or light systems and for fire apparatus when the estimated cost of construction or apparatus exceeds one thousand dollars, with the right to reject any and all bids, to enter into contracts with the lowest responsible bidder thereon, and to secure competent persons, if deemed advisable, to superintend the construction thereof and counsel and advise in all matters relating thereto. A permanent record shall be kept by the Commission of all its proceedings, contracts and other matters done and performed by it, including an accurate plan of the work done, and proper books shall be kept, showing in detail all moneys and funds received and disbursed by it. The books of the Commission shall be audited annually, and at such other times as the Charleston Delegation shall direct, by a certified public accountant and a copy of such audit filed with the delegation. All books and records of the Commission shall be open at all times to the inspection of any citizen of the District.

SECTION 9. Penalties.—Any person, firm or corporation, wilfully failing or refusing to comply with any rule or regulation of the Commission promulgated or adopted under authority duly vested in it, after written notice of such rule or regulation and demand for compliance therewith, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding twenty-five dollars or imprisonment of not exceeding ten days; *provided*, that each day after conviction of such failure or refusal to comply that the same shall continue shall constitute a separate offence, and be subject to like punishment.

SECTION 10. Further.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with or impair any facility of the District, or any part of the same, or any apparatus or equipment incident thereto or used or useful in the operation of such facility, or to obtain water from its water distribution system or to connect to its sewers except in accordance with the regulations promulgated by the Commission. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the District.

SECTION 11. Bond issue authorized—purpose—maturity.—The James Island Public Service District Commission is hereby authorized and empowered to issue negotiable coupon bonds of the District in the sum of not exceeding one hundred thousand dollars, the proceeds of which shall be used by the Commission for purchasing, establishing, equipping, operating and maintaining fire systems and fire departments in the District; and such garbage collection equipment as may be needed to furnish garbage collection services within the District; the bonds shall be of the denomination of one thousand dollars and/or five hundred dollars, shall bear interest not to exceed five per cent per annum, payable annually or semiannually as the Commission shall determine; shall mature all at one time or in series or installments as the Commission shall determine, but all bonds shall mature not later than twenty years from their respective dates and shall be exempt from all State, county and municipal taxes, and may be registerable as to principal.

SECTION 12. Execution.—The bonds shall be signed by the Chairman and Secretary of the Commission, and the official seal of the

James Island Public Service District shall be affixed to or impressed upon the bonds; the coupons on the bonds shall not be authenticated other than by the facsimile signature of the officials lithographed, printed or engraved thereon.

SECTION 13. Sale.—The bonds shall be issued and sold as a whole or from time to time and in such amounts as the Commission shall determine; the sales to be made to the highest bidder for cash after such advertisement as the Commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery thereof; the Commission to have the right to reject any and all bids in its discretion, provided the bonds may be sold to the United States, or any department or agency thereof, at private sale without advertisement.

SECTION 14. Payment.—Until the interest and principal of all bonds issued under this act shall be fully paid, there shall be levied annually on all taxable property in James Island Public Service District a tax sufficient to pay such interest as it becomes due and to provide a Sinking Fund sufficient to pay such principal at the date or dates of maturity thereof; *provided*, however, that if after the application of the revenue from the fire system and garbage collection system to the payment of the operation, maintenance and improvement of the systems and the expense of the operation, improvement and upkeep of the fire protection system and the garbage collection system, there remains any surplus, then the annual levy may be reduced to such amount as with the application of such surplus revenue thereto will be sufficient to pay the interest and principal as they respectively mature. The annual tax shall be levied and collected by the same officers and in the same manner as provided for the levy and collection of taxes for county purposes in Charleston County. The money so collected shall be applied by or under the direction of the County Treasurer to the payment of the principal and interest as they respectively become due.

SECTION 15. Proceeds.—The proceeds of the sale of the bonds as provided by this act shall be kept by the County Treasurer as a separate fund and shall be paid out only upon orders or warrants of the James Island Public Service District Commission and the County Treasurer for the purposes specified by this act.

SECTION 16. Duties of James Island Water District Commission devolved upon Commission.—The powers and duties of the

James Island Water District Commission are hereby devolved upon the James Island Public Service District Commission, and the James Island Public Service District Commission shall receive the revenues of the water district commission and disburse them from time to time in accordance with the act creating the water district and any and all contractual agreements, obligations and bond indentures of the water district and all of the rights, powers, duties and obligations of the James Island Water District and its commission are hereby devolved upon and shall hereafter be assumed, exercised and discharged by the James Island Public Service District Commission.

SECTION 17. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 18. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R443, H1754)

No. 499

An Act To Authorize The Board Of Trustees Of School District No. 10 Of Charleston County To Issue Not Exceeding One Hundred Thirty Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Of Building A Gymnasium And Improving The Athletic Field At Wallace High School, And To Make Provisions For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 10 of Charleston may issue bonds.—The school trustees of School District No. 10 of Charleston County are hereby authorized to issue general obligation bonds of the school district in the aggregate principal amount of not exceeding one hundred thirty thousand dollars and to apply the proceeds of such bonds for the purposes prescribed by this act.

SECTION 2. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or installments as the trustees shall pro-

vide for, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in any year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 3. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 4. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the trustees may prescribe. Except when so registered, all bonds issued pursuant to this act, shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 5. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the trustees shall prescribe.

SECTION 6. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the trustees.

SECTION 7. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the trustees shall by resolution prescribe.

SECTION 8. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They may be sold at public or private sale, but if sold at public sale, they shall be sold after public advertisement of the sale in a newspaper of general circulation in South Carolina. In such event the published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 9. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively ma-

ture, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 10 of Charleston County, the State of South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 11. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by the trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby and to pay the cost to be incurred in the construction and equipping of a gymnasium and the improving of the athletic field at Wallace High School.

(d) If any balance remains, it shall be held by the Treasurer of Charleston County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 12. Powers of trustees.—The powers and authorizations hereby conferred upon the school trustees shall be in addition to all other powers and authorizations previously vested in the trustees.

SECTION 13. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R444, H1780)

No. 500

An Act To Authorize And Empower The City Council Of Charleston To Close Portions Of Hampstead Street In The City Of Charleston And To Transfer And Convey The Same Together With An Adjoining Portion Of Hampstead Mall To School District No. 20 Of Charleston County, The State Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that School District No. 20 of Charleston County, the State of South Carolina, which is charged with the responsibility of operating and maintaining public school facilities in that portion of the City of Charleston lying generally east of the Ashley River, has acquired or is about to acquire a parcel of property in the City of Charleston in the block bounded on the north by Blake Street, on the east by Drake Street, on the south by Columbus Street, and by a portion of Hampstead Street which runs east and west, and on the west by a portion of Hampstead Street which runs north and south and by America Street, for the erection of public school facilities and that it is highly desirable to square off and enlarge the proposed school site by permitting the School District to acquire portions of Hampstead Street and a portion of Hampstead Mall, a public park. The portions of Hampstead Street to be acquired abut only upon the property being otherwise acquired and upon a portion of Hampstead Mall. Ingress and egress will be denied to no one by the acquisitions authorized by this act.

SECTION 2. City of Charleston may close and convey portions of Hampstead Street.—The City Council of Charleston is hereby authorized and empowered to abandon and close, and to convey in fee simple to School District No. 20 of Charleston County, the State of South Carolina, the following portions of Hampstead Street: (a) the section of Hampstead Street running northward from Columbus Street and (b) the section of Hampstead Street running eastward from America Street adjoining the right angles with the portion of Hampstead Street mentioned in (a) upon the condition that the School District acquire the properties abutting the section of Hampstead Street mentioned in (a) on the east and the section of Hampstead Street mentioned in (b) on the east and the north.

SECTION 3. Portion of Hampstead Mall may be conveyed.—The City Council of Charleston is hereby authorized and empowered

to convey in fee simple to School District No. 20 of Charleston County, the State of South Carolina, all that portion of Hampstead Mall in the City of Charleston, abutting to the east on the portion of Hampstead Street described in (a) of Section 2, to the north on the portion of Hampstead Street described in (b) of Section 2, to the west on America Street, and to the south on Columbus Street.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R524, H1947)

No. 501

An Act To Close And Abolish A Portion Of Brick House Road In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of Brick House Road in Charleston County may be closed.—That portion of Brick House Road on Edisto Island in Charleston County, extending in a southerly direction from Russell Creek to the property line of the McTeer land and the Jenkins land which is approximately eight-tenths of a mile is hereby abolished, closed and abandoned.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R587, H1622)

No. 502

An Act To Amend Act No. 443 Of 1949, As Amended, Relating To The St. Andrew's Public Service District In Charleston Coun-

ty So As To Further Provide For The Members Of The Commission Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 443 of 1949 amended—to be governed by a commission—members and elections—terms—vacancies.—Section 3 of Act No. 443 of 1949 is amended to read as follows :

“Section 3. The St. Andrew’s Public Service District shall be governed by a commission composed of five qualified electors residing in the district as hereinafter provided.

The present members of the commission shall continue to serve until the expiration of their present term. Thereafter their successors shall be elected as follows: One of the successors to those whose terms expire in 1962 shall be a resident of Section 1 as shown on the plat of the district as recorded in the office of the register of mesne conveyances for Charleston County in Plat Book ‘N’ at page 39. One shall be a resident of Section 2 as shown on such plat and one shall be a resident of either of such sections.

Of the successors to those whose terms expire in 1964 one shall be a resident of such Section 1 and one shall be a resident of such Section 2. Thereafter all successors shall have the same residence requirements as their predecessors.

All members whose terms commence after 1962 shall be elected at large by the qualified voters of the whole district and shall serve terms of four years each and until their successors are elected and qualify. Candidates desiring to seek the office at large must so state at the time of qualifying for such election.

Any vacancy occurring on the commission shall be filled for the unexpired term by appointment of the Governor upon the recommendation of the Senator and a majority of the House members of the Charleston Legislative Delegation. Those filling such vacancies shall meet the same requirements as the person whose vacancy is being filled.

The elections provided for herein shall be held at the same time as the General Election for members of the House of Representatives and shall be subject to the same election laws.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R(22, H1876)

No. 503

An Act To Amend Act 555 Of 1944, Relating To The Ashley Fire Protection District In Charleston County, So As To Re-define The Territory Included In The District And To Transfer Assets Of The District To The James Island Public Service District.

Whereas, the territory now included in the James Island Public Service District was prior to this act a part of the Ashley Fire Protection District; and

Whereas, this act will exclude territory on James Island from the Ashley Fire Protection District; and

Whereas, approximately seventy-five per cent of the assets of the Ashley Fire Protection District should rightfully be transferred to the James Island Public Service District because this area contributed approximately seventy-five per cent of the revenue of the Ashley Fire Protection District. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 555 of 1944 amended—area.—Section 2 of Act 555 of 1944 is amended by striking it out and inserting in lieu thereof the following:

“Section 2. The district shall include and be comprised of all the territory included in School District 10 in Charleston County lying outside of the St. Andrews Public Service District and the City of Charleston.”

SECTION 2. Transfer of assets from Ashley Fire Protection District.—Seventy-five per cent of the assets of the Ashley Fire Protection District shall be transferred to the James Island Public Service District. The Treasurer of Charleston County is directed to take such action as may be necessary to carry out the provisions of this section.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect June 30, 1961.

Approved the 23rd day of May, 1961.

(R523, H1877)

No. 504

An Act To Provide For The Disposition Of The Assets Of The Ashley Garbage Disposal District In Charleston County And To Repeal Act No. 442 Of The Acts And Joint Resolutions Of 1949 Relating To The Creation Of Such District.

Whereas, the Ashley Garbage Disposal District has been providing services for areas in the St. Andrew's Public Service District and in the James Island Water District; and

Whereas, there has been recently created the James Island Public Service District; and

Whereas, duties have been placed upon the governing bodies of the St. Andrew's Public Service District and the James Island Public Service District to furnish the same services now furnished by the Ashley Garbage Disposal District thereby making the continuation of the latter unnecessary; and

Whereas, it has been determined that the assets of the Ashley Garbage Disposal District should be divided between the St. Andrew's Public Service District and the James Island Public Service District; and

Whereas, it appears that approximately eighty per cent of the tax money collected by the Ashley Garbage Disposal District was derived from sources situated in the St. Andrew's Public Service District and the remaining portion collected from sources within the James Island Public Service District and that a distribution in these proportions will be just and equitable. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Ashley Garbage Disposal District—disposition of cash.—The cash balance as of June 30, 1961, of the Ashley Garbage Disposal District shall be disposed of by transferring eighty per cent thereof to the St. Andrew's Public Service District and the remaining twenty per cent to the James Island Public Service District, all of such districts being in Charleston County. The Treasurer

of Charleston County is directed to take such action as may be necessary to carry out the provisions of this section.

SECTION 2. Disposition of other assets.—The division of assets other than non-monetary shall be made by an appraisal committee composed of three members, one of whom shall be named by the governing body of the St. Andrew's Public Service District, one of whom shall be named by the governing body of the James Island Public Service District and one of whom shall be named by the other two. The division of such assets shall be made on June 30, 1961.

SECTION 3. Repeal—Act 442 of 1949 repealed.—Act No. 442 of the Acts and Joint Resolutions of 1949 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor, except Section 3, which shall take effect on June 30, 1961.

Approved the 23rd day of May, 1961.

(R472, S244)

No. 505

An Act To Authorize And Direct The Treasurer Of Cherokee County To Advance Certain Sums From The General Fund Of The County For Improvements To Blacksburg And Gaffney High Schools, To Provide For The Payment Thereof, And To Repeal Section 23 Of Act No 373 Of 1959 And Section 23 Of Act No. 976 Of 1960, Relating To The Borrowing Of Certain Funds From The Division Of Sinking Funds And Property Of South Carolina.

Whereas, the officials of School District No. 1 in Cherokee County have contracts underway for certain improvements at both the Gaffney High School and Blacksburg High School, at a total cost of \$409,792.82, and in addition thereto, other improvements are planned at Blacksburg High School which are estimated to cost \$100,000.00, making a grand total of \$509,792.82; and

Whereas, \$124,744.50 from the State Educational Finance Commission, and \$100,993.67 from the school district's portion of allocated funds, have heretofore been applied, leaving a balance needed for these improvements of \$284,054.65. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County to advance funds for high schools.—The Treasurer of Cherokee County is authorized and directed to advance from the General Fund of the county \$100,000.00 to be used for improvements to Blacksburg High School. In addition thereto the Treasurer of Cherokee County is authorized and directed to advance from the General Fund of the county \$184,054.65, to be used for improvements currently being made to Blacksburg and Gaffney High Schools. The respective funds shall be placed in special accounts.

SECTION 2. Notes—execution—interest.—The amount transferred shall be evidenced by a note or notes to be executed by a majority of the board of education and a majority of the Board of Trustees of School District No. 1 of Cherokee County. The note or notes shall bear interest at the rate of two and one-half per cent per annum from the date thereof. The borrower reserves the right to anticipate the payment of all of the loan on any date.

SECTION 3. Payment.—For the payment of the note or notes there is hereby pledged the following funds not heretofore earmarked and received by School District 1 :

(a) All funds made available to School District 1 from the State Educational Finance Commission ;

(b) All funds returned to Cherokee County from the State allocated on a per pupil basis from the State surplus ;

(c) All Federal funds allocated to the district for these projects ;
and

(d) Any increase in the amount received from the State for maintenance in excess of the amount received and included in the school budget for the year 1960-61.

SECTION 4. Repeal—Section 23 of Act 373 of 1959 and Section 23 of Act 976 of 1960 repealed.—Section 23 of Act No. 373 of the Acts of 1959 and Section 23 of Act No. 976 of the Acts of 1960 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R547, H1203)

No. 506**An Act Appropriating Funds For Providing Additional Facilities At The Cherokee County Hospital.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County — appropriation for hospital facilities.—There is hereby appropriated two hundred forty-eight thousand dollars from the general fund of Cherokee County to be used by the Cherokee County Hospital Board for constructing and equipping additional hospital facilities at the Cherokee County Hospital so that the bed space of the hospital shall be sufficient to properly provide for the needs of the residents of Cherokee County. None of the funds hereby appropriated shall be used by the hospital board as herein provided for the purposes herein described unless the board shall have first obtained State and Federal approval of the plans and specifications for the proposed improvements and shall have secured matching Federal funds on an equal basis to be used in the construction. The funds shall be expended upon warrants of the hospital board.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R565, H1403)

No. 507**An Act To Provide For The Levying Of Taxes For School And County Purposes For The Year, 1961; To Direct The Expenditure Thereof; To Otherwise Provide For The Administration Of The Business Of Cherokee County; To Provide For The Operation Of The Affairs Of The County For The Months Of January, February And March, 1962, Etc.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property in Cherokee County for county purposes for the

fiscal year beginning January 1, 1961, and the amounts and purposes hereinafter stated:

Item 1. Roads, Bridges and Chain Gang:

(a) For maintenance and construction there is hereby appropriated a sum not in excess of \$10,000.00 per month, plus one-half of the proceeds earned by contracts with the State Highway Department, <i>provided</i> , that this amount shall be decreased by the deficit for the preceding fiscal year, if any	\$120,000.00
(b) Food for convicts	17,000.00
(c) Captain of the Gang @ \$325.00 per month	3,900.00
(d) Mechanic @ \$350.00 per month	4,200.00
(e) Supply Clerk @ \$250.00 per month	3,000.00
(f) Machinery and repairs	32,600.00
TOTAL, Item 1	\$180,700.00

Item 2. Law Enforcement Officers:

Salaries:

(a) Sheriff	\$ 6,000.00
(aa) Official Expense	1,200.00
(b) Deputy Sheriffs, Nine (9) at \$350.00 per month	37,800.00
<i>Provided</i> , that each Deputy Sheriff shall be allowed one day in six off duty. This shall not be cumulative and may not be allowed if in the judgment of the Sheriff the law enforcement needs of the department require otherwise.	
(c) Jailer @ \$250.00 per month	3,000.00
(d) Jail expenses, including dieting of prisoners at \$1.35 per full day, or 45¢ per meal each. <i>Provided</i> , that in support of all payments made from the above appropriation for dieting, the sheriff shall file with the county board of commissioners a statement showing (a) the name of the prisoner, (b) the arresting officer, (c) the hour of admittance and discharge, and (d) the meals served to each prisoner for which payment is claimed.	9,000.00
(e) Operation of cars	5,000.00

Provided, all purchases of supplies are to be from the lowest bidder.

(f) Radio installation and repairs	200.00
(h) For exchange of two cars for sheriff's department	3,500.00
(i) Uniforms for Deputies not to exceed \$150.00 each	1,500.00
(j) Magistrates, three—One Magistrate for Cherokee Township @ \$2,800.00 and two Magistrates for Draytonville, Limestone Gowdeysville, Morgan and White Plains Townships @ \$4,200.00 each	11,200.00
(k) County Constable	3,900.00

Provided, this job shall be filled by the disabled Deputy Sheriff of Cherokee County. *Provided* further, the duties heretofore rendered by the office of the Sheriff of Cherokee County in serving legal process and other civil papers shall devolve upon this employee and he is officially designated as the process server for Cherokee County in civil matters, including courts of magistrate. He shall collect the same fees as are now collected by the office of Sheriff and these fees, along with an itemized report of all papers served, shall be remitted to the Treasurer of Cherokee County each month and a copy of the report filed in the office of the Clerk of Court for Cherokee County. The constable shall be paid travel expense at the prevailing rate of mileage allowed by the state for each mile of necessary travel in serving papers. *Provided* further, that should the said constable be unable to serve all papers expeditiously, the Sheriff of Cherokee County shall render such aid as the said constable may require.

TOTAL, Item 2 \$ 82,300.00

Item 3. Other County Officers:

(a) Auditor	\$ 2,502.00
(b) Clerical Help for Auditor	3,000.00

(c) Additional Help for Auditor	1,050.00
(d) Treasurer	2,502.00
(e) Assistant Treasurer	3,000.00
(f) Additional Help to Treasurer	1,050.00
(g) Superintendent of Education	1,427.50
(h) Clerical Help to Superintendent of Education	3,000.00
(i) Attendance Teacher, to buy clothes for needy children	3,000.00
<i>Provided</i> , that the total salary of the Auditor, Treasurer and Superintendent of Education shall not exceed six thousand dollars.	
(j) Supervisor	6,000.00
(jj) Official Expense	1,200.00
(k) County Commissioners, eight @ \$600.00 annually each	4,800.00
(l) Clerk, County Board of Commissioners ...	4,200.00
(m) Superintendent Courthouse @ \$175.00 per month	2,100.00
<i>Provided</i> , this employee must meet the requirements of Section 61-103 of the Code of Laws of South Carolina, 1952, as amended, beginning July 1, 1961.	
(n) Superintendent Agricultural Building @ \$175.00 per month	2,100.00
<i>Provided</i> , this employee must meet the requirements of Section 61-103 of the Code of Laws of South Carolina, 1952, as amended, beginning July 1, 1961.	
<i>Provided</i> , that the County Board of Commissioners shall, upon request of the Superintendent of the County Courthouse, or the Superintendent of the Agricultural Building, furnish them with sufficient convict labor about the premises.	
(o) Clerk of Court	6,000.00
(p) Deputy Clerk of Court	3,000.00
(q) Clerical Help for Clerk of Court	3,000.00
(r) Probate Judge	6,000.00
(s) Clerical Help for Probate Judge	3,000.00
(t) County Attorney	600.00
(u) County Audit	1,000.00

(v) Coroner	1,200.00
(w) Stenographer for Coroner	300.00
(x) Delinquent Tax Collector	1,800.00
(y) Clerk for Delinquent Tax Collector	3,000.00
(z) Board of Assessors and Equalization	1,420.00
(aa) Jurors and Witnesses	12,000.00

TOTAL, Item 3\$ 83,251.50

Item 4. County Health Department:

(a) Salaries, travel & clinic fees	\$ 4,874.00
(b) Medical Drugs	1,000.00
(c) T. B. Nurse	1,500.00
(d) Office supplies and contingencies	900.00
(e) Building and maintenance	2,000.00
(f) Three Truck Drivers, @ \$275.00 per month each	9,900.00
(g) Truck maintenance	2,050.00
(h) Spray Oil	300.00
(i) New Truck	2,500.00

TOTAL, Item 4\$ 25,024.00

Item 5. Public Buildings:

(a) Water and Lights	\$ 2,150.00
(b) Telephone and Telegraph	4,000.00
(c) Fuel	1,500.00
(d) Superintendent's supplies	1,825.00
(e) Printing, Postage, Stationery and Office Equipment	9,500.00
<i>Provided, authority is hereby granted for the payment of any deficits incurred during 1960.</i>	
(f) Insurance and premiums on bonds of county officers	3,500.00

TOTAL, Item 5\$ 22,475.00

Item 6. Hospital, Public Welfare, Charities, Contributions and Miscellaneous:

(a) Hospital and nurses Training School; Sherard-Allen Rest Home—for maintenance, support of inmates and construction of additional facilities	40,000.00
---	-----------

Provided, that expenditures from this appropriation shall be with the approval of the Legislative Delegation.

(b) Lunacies and Post Mortems	900.00
(c) Vital Statistics	410.00
(d) State or National Guard Service Company	1,650.00

Provided, that these funds shall be used for Armory or training purposes only.

(e) State or National Guard Medical Company	954.00
---	--------

Provided, that these funds shall be used for Armory or training purposes only.

(f) Department of Public Welfare	2,500.00
(g) Civil Air Patrol	500.00
(h) Cherokee County Rescue Squad	200.00

Provided, that these funds shall be used for training purposes or purchase of rescue equipment.

TOTAL, Item 6

\$ 47,114.00

Item 7. (a) Library	\$ 11,000.00
(b) Board of Education for School Lunch	10,000.00
(c) Contingent Fund, Board of Education	5,000.00

TOTAL, Item 7

\$ 26,000.00

Item 8. (a) County share of Retirement Fund for county employees	\$ 5,800.00
(b) Social Security	6,200.00

TOTAL, Item 8

\$ 12,000.00

Item 9. Farm Demonstration:

(a) Assistant Farm Demonstration Agent, Salary	\$ 600.00
(b) Stenographer, County Extension Office ..	600.00
(c) 4-H Club Boys	200.00
(d) 4-H Club Girls	200.00
(e) Demonstration Supplies for Home Demonstration Agent	150.00
(f) Negro Home Demonstration Agent, Salary and Travel	740.00

(g) Office rent, fuel & supplies for Negro Home Demonstration Agent		300.00
(h) Clerical help for Negro Agents		600.00
(i) Contingents County Agent & Home Agent		75.00
TOTAL, Item 9		\$ 3,465.00
Item 10. (a) Contingent Fund		\$ 30,000.00
(b) Contingent expense and travel		300.00
<i>Provided</i> , that any expense or travel allowed from the contingent travel shall be approved by a majority of the legislative delegation.		
TOTAL, Item 10		\$ 30,300.00
Item 11. There is hereby appropriated the sum of Fifteen Thousand Dollars or so much thereof as may be necessary to be used for the purchase of fire fighting equipment to be used both within and without the limits of the City of Gaffney in order to protect the public from the hazards of fire. The city council of the City of Gaffney shall be charged with the responsibility of writing specifications for the fire fighting equipment. They shall receive bids and shall award the contract to the low bidder meeting specifications. Before a contract may be awarded for the purchase of fire fighting equipment as provided herein, at least three bids must be received from bidders meeting the specifications		15,000.00
TOTAL, Item 11		\$ 15,000.00
GRAND TOTAL		\$527,629.50
Less: Unexpended Balances, 1960 Supply Act:		
Roads, Bridges and Chain Gang		\$ 305.69
Law Enforcement Officers		991.23
Other County Officers		5,517.47
County Health Department		890.45
Public Buildings		1,662.03
Hospital, Public Welfare, Charities, Contributions & Misc.		60,529.89

Contingent Fund, Board of Education	600.00
Renovation County Home	3,622.11
Contingent Fund	1,412.39

TOTAL, Unexpended balances, 1960	\$ 75,531.26
--	--------------

\$452,098.24

Less: Estimated Revenues other than Taxes:

Gas Tax	\$108,203.08
Clerk of Court, Fines & Costs	9,204.79
Fees, County Officers	23,043.05
Sheriff and Magistrates—Civil Costs	1,715.00
Magistrates, Fines & Costs	42,094.11
State Insurance License Fees	17,116.53
State Bank Tax	2,804.64
State Income Tax	63,468.32
Liquor, Beer and Wine	7,516.93
State Highway Department (Section 33-165, 1952 Code)	2,068.35
Interest earned	5,547.55
Rents	2,990.00
Miscellaneous	5,461.22

Total	\$291,233.57
-------------	--------------

Total Estimated Amount to be raised by taxation

\$160,864.67

Provided, that no fund herein appropriated for any one purpose shall be used for any other purpose without the written consent of a majority of the Legislative Delegation.

SECTION 2. The Treasurer of Cherokee County is hereby authorized and directed to transfer to the credit of the County Board of Education the sum of thirty thousand dollars from the beer, wine and liquor taxes accruing to Cherokee County to be used to purchase school textbooks to be furnished free to the school children of Cherokee County and to pay for such books already purchased.

Provided, that any balance brought forward from the 1960 County Supply Act shall be included in the thirty thousand dollars herein appropriated.

SECTION 3. The county treasurer is hereby authorized and directed to pay upon warrants issued by the county board of commissioners the sum of twenty thousand dollars from the county's share of the one cent gasoline tax now on hand for the purpose of surface treating roads or streets in and around the towns and populous section of Cherokee County; *provided*, that the grading and preparing of such roads and streets or surface treating shall be done by the city or county road forces under the supervision of a competent engineer and the work shall be done in accordance with the State Highway Department's specifications, and no surface treating shall be done without approval of the engineer; *provided*, further, that the roads and streets to be improved under the terms of this section shall be agreed to, in writing, by a majority of the county delegation.

SECTION 4. The court crier, jury boy and bailiffs in the Circuit Court of Cherokee County shall be paid a per diem of five dollars for the actual number of days served, and the jurors and the members of the board of assessors and the board of equalization shall be paid a per diem of ten dollars for the actual number of days served. The Coroner's jurors (6) shall be paid two dollars and fifty cents per inquest.

SECTION 5. The working of the chaingang shall be under the management of the county board of commissioners. Before any employee is hired or discharged, the act must meet with the approval of the county board of commissioners; *provided*, however, that the county supervisor may suspend any employee without compensation for a period not to exceed two weeks when in his discretion it is deemed advisable to protect the best interest of the county. In case of suspension, the supervisor shall notify the county board of commissioners of his action and make recommendations as to the reinstatement or permanent discharge of the employee. The decision of the county board of commissioners after receipt of notice and recommendations shall be governing.

SECTION 6. The clerk of the county board of commissioners shall have authority to make purchases of necessary supplies, not to exceed fifty dollars, without first receiving approval of the county board of commissioners. However, any purchases exceeding fifty dollars must first be approved by the county board of commissioners, and, before being paid, all claims shall be approved by the county board of commissioners.

SECTION 7. The amount herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1961, and, if any item or salary has been overpaid for any month, such overpayment shall be deducted from the following month. Any note or contract made by any officer of the county or by the board of county commissioners for any amount not included in this Supply Act shall be null and void; any officer or employee who disregards any of the provisions hereof without the written consent of a majority of the Cherokee County Delegation to the General Assembly, kept on file in the treasurer's office, shall be guilty of a malfeasance in office and subject to removal. If the county supervisor or the board of commissioners at any time finds that the appropriation or monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance, then, in that event, they are required to send to the State Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses so that expense will come within the monthly allotment herein provided. All appropriations herein made are subject to the right and authority of the majority of the Cherokee County Delegation to change, alter or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. *Provided*, that the changes made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

SECTION 8. The supervisor and the chain gang and employees of Cherokee County are hereby prohibited from doing any private work and spending any money of the county on any private roads or private property.

SECTION 9. The clerk of the county board of commissioners shall, during each month, send to each member of the Cherokee County Delegation an itemized list of all expenditures of the county for the preceding month, and also an itemized list of all obligations incurred and not paid.

SECTION 10. Immediately following each meeting of the county board of commissioners, the clerk of the board shall send each member of the Cherokee County Legislative Delegation a certified copy of the minutes of such meeting.

SECTION 11. The county attorney shall give legal advice to all county officers, including the grand jury, on any subject affecting the

official matters of Cherokee County, and the amount herein appropriated shall be in full for all services of the county attorney, except litigated cases brought or defended with the approval of the Legislative Delegation.

SECTION 12. Whenever references are made in this act to any action of or by the Legislative Delegation or County Delegation, the same means the joint approval, agreement, or order of the Senator and at least one-half of the Representatives of Cherokee County in the General Assembly. In the event, however, of the death, resignation or removal of any one or more of the members of the delegation, the remaining members shall have the right to execute any such approval, agreement or order.

SECTION 13. There shall be elected by the county legislative delegation, or a majority thereof a supply clerk at a salary of two hundred and fifty dollars per month. His duties shall consist of checking in and out materials and supplies purchased by the county for chain gang and road building purposes which shall be subject to his inspection at all times, and keeping proper records of such transactions. The supply clerk shall be furnished, by the county board of commissioners, with an office and a building for storage of all such materials and supplies. No warrant for the payment of any such materials and supplies shall be issued until the supply clerk shall certify, in writing, to the receipt of same, and he shall keep proper records to show to which agency of the county such materials and supplies were issued or delivered. *Provided*, monthly reports shall be made to the Cherokee County Delegation.

SECTION 14. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 15. The attendance teacher and the school lunch supervisor shall be paid sixty-five dollars per month each from the County Board of Education Contingent Fund (Item 7 (c)). Travel shall be paid at the prevailing rate of mileage allowed by the State. A report of the number of miles traveled on official business shall be sub-

mitted monthly to the county board of education for approval, and a warrant of the board shall be issued in payment thereof.

Provided, the salary of the clerk to the school lunch supervisor and the secretary of the county probation and parole officer shall be three thousand (\$3,000.00) dollars each annually.

The attendance teacher shall receive a salary supplement during each school month sufficient to make such teacher's monthly salary during the school months equal to the monthly salary which would be paid such teacher for teaching in the public schools of Cherokee County. The supplement provided for herein shall be paid from the Contingent Fund of the County Board of Education. *Provided*, the salary supplement herein authorized shall not exceed the supplement paid for the year 1960.

SECTION 16. There may be expended for county purposes during the months of January, February and March of 1962, the amounts authorized herein to be expended for the same months during the year 1961. All such expenditures shall be made from the general fund of the county. This provision is included in this act so that the activities of the county may continue uninterrupted until the Appropriation Act for the calendar year 1962 is adopted.

SECTION 17. The County Board of Commissioners of Cherokee County may rent office space in the Cherokee County Courthouse and the Cherokee County Agricultural Building for use by persons or organizations in the performance of State or Federal functions. No office space in such building shall be occupied by any person or organization not using such office space in the performance of State, county or Federal functions. Any person or organization using such office space in performance of a function of the Federal Government shall be charged a reasonable rental, based upon the space occupied and the services provided, as determined by the county board of commissioners.

SECTION 18. The appointive members of the Cherokee County Board of Education and the members of the Board of Trustees of Cherokee County School District No. 1 shall receive per diem of ten dollars and mileage at the prevailing rate allowed by the State for attendance upon meetings of their respective boards, but the payment of such per diem and mileage shall be limited to not more than one meeting during each month. The per diem and mileage of the members of the board of education provided for in this section shall

be paid from the Contingent Fund of the County Board of Education and the per diem and mileage of the members of the board of trustees provided for herein shall be paid from the general school funds.

SECTION 19. The effective date of all salary increases in excess of that allowed for the preceding year shall be July 1, 1961.

SECTION 20. Not to exceed the sum of five thousand dollars of the proceeds received by Cherokee County from contracts between the State Highway Department and the county for pipe to be used on roads which are the subject of contracts between the said department and Cherokee County, pursuant to authority of Section 33-165, Code of Laws of South Carolina, 1952, shall be set up as a revolving fund which shall be used for the purpose of purchasing pipe for use on roads referred to in this section. A separate accounting shall be kept of all pipe purchased pursuant to this section and the said contract with the State Highway Department, and any reimbursements made by the said department to Cherokee County for pipe shall be credited to the revolving fund set up pursuant to the terms of this act.

SECTION 21. In the event an application for a warrant or an application for the issuance of any civil process is either refused by any magistrate in Cherokee County with jurisdiction, or the said magistrate is incapacitated for any reason, then any such applicant shall have the right to apply to any other magistrate in the county who may, in his discretion, assume jurisdiction and issue the warrant or process as if he originally had jurisdiction.

SECTION 22. For the fiscal year 1961-1962 the Board of Trustees of School District No. 1 of Cherokee County, with the approval of the County Board of Education, shall fix a tax levy for school purposes for the county which shall be submitted to the County Auditor not later than July 15, 1961, whereupon the auditor shall levy and the treasurer shall collect such millage. When a levy has been fixed and approved, as provided herein, and the budget for the various items and purposes necessary for the operation and maintenance of the schools of the county has been finally approved, there shall thereafter be no transfers from one purpose or one item within the budget to another without prior approval of the Board of Trustees and the Board of Education of the county. In the event that the Board of Trustees and the County Board of Education have failed to

agree upon a levy for school purposes for any school year by July fifteenth, then the auditor shall levy and the treasurer shall collect the same millage as that collected for the operation of schools of the county for the previous year. Requisitions for the expenditure of funds from the County Treasury shall be itemized and accompanied by invoice or other satisfactory evidence of the propriety of the payment. *Provided*, that the Sunnyside School in Gowdeysville Township shall remain in operation for the school year 1961-1962.

SECTION 23. All persons receiving expense accounts must submit to the Clerk of the County Board of Commissioners an itemized statement of monthly expenses before being compensated for such expenses.

SECTION 24. All the duties now prescribed for the Cherokee County Board of Commissioners for the operation of the Cherokee County Home are hereby devolved upon the Cherokee County Hospital Board and the said board shall lease the county home with all buildings, property and equipment pertaining to the operation thereof to a private individual or corporation, and such buildings, property and equipment shall be operated as a rest home.

SECTION 25. All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R167, H1326)

No. 508

An Act To Authorize The Chester County Hospital Board And The Treasurer Of Chester County To Borrow Not Exceeding Two Hundred Fifty Thousand Dollars For General Hospital Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chester County Hospital may borrow money.—The Chester County Hospital Board and the Treasurer of Chester County are hereby authorized to borrow for general hospital pur-

poses not exceeding two hundred fifty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at not more than four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date. *Provided*, the amounts shall not be borrowed except upon approval of the Chester County Legislative Delegation.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Chester County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

To Provide That A Permanent Accounts Receivable Ledger Shall Be Kept To Provide For The Accounting Of Bad Debts And To Delete The Provision Requiring An Annual Audit.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 2, Section 3 of Act 365 of 1947 amended—powers and duties.—further.—Item 2 of Section 3 of Act No. 365 of 1947 is amended by striking it out and inserting in lieu thereof the following :

“(2) To adopt such bylaws, rules and regulations for the conduct of its business and expenditure of its funds, as it may deem advisable; *provided*, the Chester County Hospital Board is specifically charged with the duty of providing for the efficient and capable administering of its financial affairs and the board shall at all times, keep files and accurate accounts of its acting and doings, and of its receipts and expenditures and shall keep a permanent accounts receivable ledger. A full accounting of all bad debts shall be made in the annual audit. No bad debt shall be charged off during the fiscal year it is incurred or during the following fiscal year. *Provided*, further, the Hospital Board shall employ a competent person to be business manager of the Hospital and such business manager shall not be a member of the medical profession;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R667, H1823)

No. 510

An Act To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, To Direct The Expenditure Thereof, And Relating To Other Matters In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Chester County is hereby directed to levy during the year 1961, upon the recommendation and approval

of a majority of the Chester County Legislative Delegation, a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year commencing July 1, 1961, and ending June 30, 1962, as is set forth in Section 1 of this act. *Provided*, that the treasurer is hereby directed to collect such tax. *Provided*, further, that the Auditor of Chester County is hereby prohibited from the levying of any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided*, further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1. Administration:

A. Office of Clerk of Court:	
Clerk	\$ 4,500.00
Deputy Clerk	2,900.00
Assistant Deputy Clerk	2,300.00
B. Office of Auditor:	
Auditor (in addition to amount paid by the State of South Carolina)	1,500.00
Auditor—travel expenses	300.00
Assistant Auditor	2,900.00
C. Office of Treasurer:	
Treasurer (in addition to amount paid by the State of South Carolina)	1,500.00
Treasurer—travel expenses	300.00
Assistant Treasurer	2,900.00
D. Tax Collector	
Deputy Tax Collector	3,800.00
E. Office of Judge of Probate:	
Judge of Probate, Salary	2,600.00
Deputy Judge of Probate, Salary	4,500.00
F. Office of the County Manager and the County Board of Directors:	
Board members—Chairman, \$1,200.00, four members @ \$1,000.00 each	5,200.00
County Manager	6,000.00
<i>Provided</i> , that the County Manager shall carry out duties as hereinafter prescribed.	
Stenographer for County Manager	2,900.00

G. Board of Equalization and Assessment Control	1,500.00
<i>Provided</i> , that this appropriation shall be spent under the direction of the County Manager with the approval of the Chester County Legislative Delegation.	
H. Legal Services, including County Attorney . . .	2,200.00
<i>Provided</i> , that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information.	
I. Premiums on Bonds of County officials	1,500.00
J. Premiums on Workmen's Compensation Insurance for County Employees	6,000.00
K. Janitor Service—Courthouse and other public buildings	2,000.00
<i>Provided</i> , the County Manager shall use prison labor when available.	
L. Custodian of Chester County War Memorial Building	800.00
<i>Provided</i> , the custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.	
M. Coroner—Salary	1,380.00
Coroner—Travel expenses	200.00
Item 2. Sheriff's Office:	
A. Sheriff	\$ 4,500.00
Deputy Sheriff	3,920.00
Record Clerk	2,300.00
The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise. <i>Provided</i> , the record clerk shall keep such records and such records shall be available to the magistrates and all law enforcement officers. <i>Provided</i> , such records shall show the time when a prisoner is confined in County Jail and when released.	
B. Jailor	2,600.00

Provided, that the Sheriff or Jailor may reside in the living quarters of the jail and shall have charge of the dieting of prisoners in the jail.

- C. Jail expenses in dieting of prisoners and convicts in County Jail 4,500.00

Provided, that the Jailor or Sheriff keep an accurate record of the time a prisoner enters and leaves the County Jail and the number of meals served each prisoner while he is confined in the County Jail. Such Jailor or Sheriff shall be paid on the basis of thirty cents per meal.

Provided, further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. *Provided*, further, that the Jailor or Sheriff shall submit to the County Manager his record of time each prisoner or convict spent in County Jail. Such records shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts.

Provided, further, that before payment is made by the County Manager to the Jailor or Sheriff the County Manager shall compare and check record submitted by Jailor or Sheriff with the jail book in the Sheriff's office.

Item 3. Magistrates:

- | | |
|--------------------------------------|-------------|
| A. First District | \$ 3,360.00 |
| B. Second District | 1,000.00 |
| C. Third District | 1,200.00 |
| D. Fourth District | 1,000.00 |
| E. Fifth District | 870.00 |
| F. Sixth District | 870.00 |
| G. Seventh District | 3,000.00 |
| H. Magistrates' Constables (5) | 1,110.00 |

Provided, that the Constables shall be paid salaries at the rate now provided by law.

- Item 4. Law Enforcement, Countywide\$ 33,210.00

- Item 5. Law Enforcement, Great Falls Area\$ 15,800.00

Item 6. Miscellaneous Law Enforcement:

- | | |
|---|--------------|
| A. Support and Maintenance of Convicts at Stockade | \$ 10,000.00 |
| B. Technician for Police Radio | 600.00 |
| C. Leased Telephone Line for Great Falls Law Enforcement Officers | 1,080.00 |
| D. Police Radio Operator | 2,900.00 |
| E. County Share for Police Radio Operator | 1,450.00 |
| F. Relief Operator, Police Radio | 800.00 |

Provided, that Police Radio Operators and Police Radio Technician shall be employed by the Chester County Police Commission upon the recommendations of the Chief of County Police; and *provided*, further, that the Chester County Police Commission shall prescribe the duties of the Police Radio Operator and Police Technician.

- | | |
|---|----------|
| G. Uniforms and supplies for Law Enforcement Officers | 2,000.00 |
|---|----------|

Provided, that the County Manager shall purchase uniforms as needed.

Provided, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of \$25.00 per month from such officer's pay for a period of six months, such amount to apply to the purchase of uniforms.

- | | |
|--|----------|
| H. Jurors and Witnesses, including Magistrates' Jurors for regular or special terms of court ... | 8,000.00 |
|--|----------|

Provided, that jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.

Provided, jurors shall be paid at the rate of seven dollars and fifty cents per day.

Provided, Magistrates' jurors shall be paid as provided by law.

- | | |
|---|----------|
| I. Post Mortems, Inquests, Lunacy Commitments | 1,000.00 |
| J. For operation of Law Enforcement automobiles | 6,500.00 |

Provided, that identification signs shall be placed on all Chester County law enforcement automobiles. The county shops shall be used for main-

tenance of all law enforcement automobiles and vehicles whenever possible. *Provided*, further, that law enforcement automobiles shall be used for official business only.

Item 7. Farm Agencies:

A. Supplement to County Agent	\$ 900.00
B. County Agent for supplemental postage, telephone, etc.	50.00
C. Supplement Salary to Assistant County Agent ..	600.00
D. Supplement to County Agent's Stenographer ..	400.00
E. Boys' 4-H Club Work	50.00
F. Girls' 4-H Club Work	50.00
G. Supplement Salary to Home Demonstration Agent	300.00
H. Supplement to Stenographer for County Home Demonstration Agent	600.00
I. Supplies for Home Demonstration Agent	100.00
J. Supplement to Salary, Negro Agricultural Agent ..	240.00
K. Janitor Service	36.00
L. Rent	240.00
M. Lights	12.00
N. Fuel	80.00
O. Telephone	122.00
P. Secretary to Negro Agricultural Agent and Negro Home Demonstration Agent	1,320.00
Q. Negro Home Demonstration Agent, Material ..	50.00
R. Negro Agricultural Agent, Demonstration Material	50.00
S. Negro 4-H Club Work, Boys' and Girls'	100.00
T. Negro Home Demonstration Agent	1,740.00

Item 8. Welfare:

A. Supplement Salary to County Director of Public Welfare	300.00
B. Supplement to Chester County Public Welfare Board	300.00
<i>Provided</i> , that members shall be paid at the rate of seven dollars per meeting and for mileage. (12 meetings per year.)	

Item 9. Health:

A. State Board of Health—Vital Statistics	500.00
---	--------

B. County Health Department	13,830.00
C. Tuberculosis Clinic Work	800.00
D. County Physician	1,400.00
Item 10. Veterans:	
A. Service Officer for Veterans of all wars	\$ 3,900.00
B. Travel for Service Officer, if so much be necessary	1,200.00
C. Stenographic Help for Service Officer	2,300.00
Item 11. National Guard Unit at Chester	\$ 1,500.00
Item 12. Road Department:	
A. Road equipment and expenses of operation of same, including road construction program operated in connection with and under the supervision of the State Highway Department on State highways, including labor, roads, bridges, culverts and pipe lines	\$ 57,500.00
<i>Provided</i> , that the above amount is appropriated for the above stated purposes only, and before any new road construction or new projects are undertaken by the County Manager and County Board of Directors, prior appropriation therefor shall be made by the County Legislative Delegation. <i>Provided</i> , further, that the County Manager shall be held responsible for any construction or new projects made contrary to the above provisions.	
<i>Provided</i> , further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County. Such signs shall be as follows: "Property of Chester County."	
Item 13. Miscellaneous:	
A. Contributions on office rent, heat, water, lights, janitor service, Farm Home Administration	\$ 160.00
B. Public Buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building	9,000.00
C. Printing, postage and stationery	8,500.00

D. Retirement and Social Security, County employees	7,500.00
E. Chester County Commerce and Development Board, for advertising county advantages, if so much be necessary	6,000.00
F. Chester Soil Conservation District to be used in employment of personnel to work with the soil Conservation Service	1,000.00
G. Miscellaneous Expenses, County Manager	1,200.00
H. Civil Defense, if so much be necessary	4,900.00
<i>Provided</i> , the appropriation for Civil Defense shall be budgeted by the County Manager with the approval of the Chester Legislative Delegation.	
I. Board of Registration	500.00
J. Expense, Tax Notices and Auditing Fees	1,000.00
K. Premium, Accident Insurance, County Law Enforcement Officers	275.00
L. Nursing Home Patients, if so much be necessary	6,000.00
<i>Provided</i> , that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State Board of Public Welfare and the State Health Department; <i>provided</i> , further, that such patients shall be approved by the Chester County Welfare Department.	
M. Chester County Board of School Trustees	2,400.00
<i>Provided</i> , that the above appropriation shall be paid each trustee at the rate of \$20.00 per meeting, not to exceed twelve meetings per year.	
N. Chester County Library (in addition to levy made hereinafter in Section 2)	3,000.00
O. Mental Health Clinic, Chester County's Contribution	3,551.80
<i>Provided</i> , this amount is hereby appropriated contingent upon the establishment of a mental health clinic in conjunction with Lancaster and York Counties.	
P. Hospitalization of charity patients whose condition demands hospitalization, if so much be necessary	2,500.00

Provided, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided*, further, the Chester County Hospital Board is responsible for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided*, further, that the Chester County Board of Public Welfare is hereby directed to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided*, further, that the charity patients referred to herein shall be citizens of Chester County.

TOTAL\$323,606.80

SECTION 2. The following taxes are levied upon the taxable property of Chester County for the year 1961 for expenditure during the fiscal year commencing July 1, 1961 and ending June 30, 1962, for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950) and War Memorial Building bonds (issue of 1949), three mills;

(b) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on roads now in or roads to be placed in the State Highway System. The funds raised from this levy are appropriated for the above-stated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

(c) For Chester County Library, one and three-quarters mills; *provided*, this levy shall supersede levy made in Act No. 293 of the Acts of the General Assembly of 1949.

Provided, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester County Legislative Delegation, to reduce these levies or to eliminate them entirely.

Provided, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

SECTION 3. The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency; *provided*, it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

SECTION 4. In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes and *provided*, further, that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

SECTION 5. All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

SECTION 6. The errors, if any, in the total of this act shall not affect any of the several items named herein.

SECTION 7. The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

SECTION 8. The county manager is hereby authorized to allow any pay for full ten days' time every two weeks for regular truck drivers, regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided*,

these employees shall be paid weekly; *provided*, however, that these employees report for work and do such work as conditions will permit; *provided*, further, that this shall not interfere with previous arrangements made by the county manager in case of sickness of employees and shall not interfere with the number of holidays heretofore allowed and *provided*, further, that the provisions of this section shall not be construed to interfere with the authority of the county manager to discharge any employee for cause, dismiss one when his term of employment has expired, or 'lay off' one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided*, further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ of the county for one full continuous year immediately preceding such vacation. *Provided*, further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Supply Act. *Provided*, further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval.

SECTION 9. The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

SECTION 10. The county manager is hereby authorized to lease or sell land and building formerly known as the Chester County Nursing and Convalescent Home. *Provided*, that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

SECTION 11. The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

SECTION 12. The salary for the court bailiff is hereby fixed at six dollars per diem for days actually served in court.

SECTION 13. The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month.

SECTION 14. The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway System.

SECTION 15. The words "County Delegation," "majority of the legislative delegation," and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 16. The County Manager shall annually inventory and identify by proper number or markings all furniture, fixtures and equipment owned by Chester County.

SECTION 17. The levy provided for in Section 21-1816, Code of Laws of South Carolina, 1952, as amended, shall be utilized only for the operation and maintenance of the schools of Chester County.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R26, H1106)

No. 511

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Chesterfield County To Borrow Not Exceeding One Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County School District 2 may borrow money.—The Board of Trustees of School District No. 2 and the Treasurer of Chesterfield County are authorized and empowered to borrow for school purposes not exceeding one hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes executed by the Chairman of the Board and the Treasurer of Chesterfield County,

and shall bear interest not to exceed four per cent per annum. The principal and interest shall be payable in five successive, equal, annual instalments.

SECTION 2. Payment.—The Auditor of Chesterfield County shall levy and the Treasurer of the county shall collect a tax on all taxable property in the district sufficient to pay both principal and interest on each instalment as it becomes due.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R28, H1118)

No. 512

An Act To Authorize The Chesterfield County Memorial Hospital Board To Borrow One Hundred Twelve Thousand Five Hundred Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County Memorial Hospital may borrow money.—The Chesterfield County Memorial Hospital Board and the Treasurer of Chesterfield County are hereby authorized to borrow for hospital purposes not exceeding one hundred twelve thousand five hundred dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Chairman of the Board of Trustees and the Treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Chesterfield County shall levy and the Treasurer shall col-

lect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R106, H1260)

No. 513

An Act To Create The Hill's Creek Watershed Conservation District In Chesterfield County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Hill's Creek Watershed Conservation District may be formed in Chesterfield County.—Authority is hereby granted to form the Hill's Creek Watershed Conservation District in Chesterfield County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Hill's Creek. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the soil conservation district within the proposed conservation district. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearing on petition.—(a) Within thirty days after the petition has been filed with the board of supervisors of the soil conservation district, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the soil conservation district determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the soil conservation district determines after such hearing that there is no need for a watershed

conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum.—After the board of supervisors has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Chesterfield County.

SECTION 6. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Hill’s Creek Watershed Conservation District”

“Against the creation of the Hill’s Creek Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the pro-

pose district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by such board, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors.

SECTION 7. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of supervisors. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Chesterfield County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental subdivision of this State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 8. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is

signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the soil conservation district in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors shall, under the supervision of the board of supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a

surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties.

—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the soil conservation district, by notifying the county auditor.

SECTION 10. Bonds not to be issued unless referendum held.

—(a) Bonds authorized by Section 9 of this act shall not be

issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the soil conservation district.

(b) The board of supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the soil conservation district.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Chesterfield County.

SECTION 13.—List of landowners and acres subject to assessment.—(a) The directors of the watershed conservation district

with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the soil conservation district.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the board of supervisors of the soil conservation district to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Chesterfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organiza-

tion of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Hill's Creek Watershed Conservation District" and "Against terminating the existence of the Hill's Creek Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the refer-

endum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Chesterfield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if district discontinued.—

If any soil conservation district in which any part of a watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such soil conservation district shall thereafter be exercised by the governing body of Chesterfield County.

SECTION 19. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R503, S409)

No. 514

An Act To Authorize The Governing Body Of Chesterfield County To Receive Title To, And Easements, And To Assume Full Responsibility For The Upkeep And Maintenance Of The Sewage System Of The Windsor Park Subdivision In Chesterfield County, And To Charge A Reasonable Amount For Services Rendered And To Provide That Deeds To Lots Within The Subdivision Shall Contain Notice That The Grantee Shall Be Taxed For The Maintenance And Upkeep Of The System And To Provide That Contracts Shall Be Entered Into Whereby Persons Who Have Already Received Conveyances Of Lots Shall Agree To Pay Such Charges.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County to operate sewage system of Windsor Park Subdivision—charges.—The governing body of Chesterfield County is authorized to receive title to, with such easements as are necessary, and to assume full responsibility for operating and maintaining the sewage system of the Windsor Park Subdivision in Chesterfield County. The governing body is further authorized to charge and collect with county taxes such reasonable amounts as may be assessed for services rendered. Conveyances of lots within the Windsor Park Subdivision shall contain a provision giving the grantee notice that he will be assessed reasonable amounts for the operation and maintenance of the sewage system. Persons who have already been conveyed lots within the subdivision shall enter into contracts with the governing body of Chesterfield County to pay reasonable charges for the operation and maintenance of the sewage system.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R569, H1800)

No. 515

An Act To Make Supplemental Appropriation For Chesterfield County For The Fiscal Year 1960-1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriation is hereby made for the year 1960-1961 for the operation of the county government of Chesterfield County :

Clerical Assistance to Auditor	\$ 343.76
County Contribution to Retirement	700.00
County Contribution to S. Security	1,100.00
Maintenance & Operation of S. Radios	280.00
Jail Expenses	2,000.00
Maintenance of Indigents	2,000.00
County Highway Fund	15,000.00

Soil Conservation Secretarial Help	116.25
Probate Judge—Books	1,000.00
County Board of Education	10,000.00
County Attorney for handling uniform support cases	100.00
Town of McBee for fixtures purchased in county building at McBee	269.49
Total	\$ 32,909.50

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R672, H1883)

No. 516

An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are hereby made for the fiscal year July 1, 1961 to June 30, 1962 for the operation of the county government of Chesterfield County :

Item 1. Chesterfield County Highway Fund\$ 90,000.00

This fund shall be spent by the County Board of Commissioners for the construction, improvement and maintenance of county public roads and bridges, for the purchase, repair, replacement and maintenance of road-building and maintenance machinery; for the operation of the county chain gang and for the purposes specified in this act and as set forth in the official budget of the

Board of Commissioners and for incidental purposes.

Total, Item 1	\$ 90,000.00
Item 2. Administrative Department:	
Clerk of Court	\$ 600.00
Clerk of Court Clerk Hire	1,620.00
Salary of Probate Judge	100.00
Clerical Help, Probate Judge	2,100.00
<i>Provided</i> , this appropriation is on condition that the probate judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1961, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge if such officer be appointed.	
Salary of County Auditor	1,900.00
Clerical Assistance to County Auditor	4,200.00
Salary of County Treasurer	1,900.00
Clerical Assistance to County Treasurer	4,200.00
Extra Clerical Help, if needed for preparation of 1961 Tax Books, Treasurer's and Auditor's Offices, \$400.00 each	800.00
Tax Collector	3,600.00
One Clerk to Tax Collector	2,340.00
The Tax Collector shall also receive seven cents per mile for travel in the actual discharge of his duties to be paid upon itemized statements duly sworn to.	
Salary of Clerk to County Board of Commissioners and Road Supervisor	3,720.00
Travel Expenses for Clerk to County Board ...	600.00
For Assistant Clerk Hire	2,520.00
Salaries of three County Commissioners @ six hundred dollars each	1,800.00
Travel, County Commissioners @ six hundred dollars each	1,800.00

Provided, that the salary and travel provided above for County Commissioners shall be paid from the Highway Fund.

Salary of Coroner	720.00
Travel Expense—County Coroner	280.00
County Service Officer	2,700.00
Travel Expense—County Service Officer	900.00
Clerk, County Service Office	2,100.00

The state funds payable to Chesterfield County for the maintenance and services of the County Service Office shall be deposited in the county treasury to the credit of the General County Fund.

Janitor, Courthouse	1,880.00
County Board of Equalization	1,500.00
Vital Statistics	300.00
Stenographer, County and Home Demonstration Office	1,440.00
For Demonstration Supplies and Telephone ...	250.00
Boys' 4-H Club Work	100.00
Girls' 4-H Club Work	100.00
Negro 4-H Club Work, Boys' and Girls'	200.00
Future Farmers of America	300.00
Salary of Negro Home Demonstration Agent..	1,890.00
Negro Agricultural Agent and Negro Home Demonstration Agent—Rent, Equipment, Office Expenses, Clerical Help	1,875.00

Provided, this fund shall be spent upon the approval of the Negro Agricultural Agent and the Negro Home Demonstration Agent.

Payment of Rent for FHA Office	240.00
Master's Office, Telephone and Supplies	150.00
County Health Department	8,500.00
Insect Control Program	500.00
Water, fuel, lights and insurance and other incidentals for maintenance of public buildings	8,000.00
Printing, postage, stationery, office supplies and incidentals for county offices	7,000.00
County Rescue Squad	800.00

To County Health Department for maintenance and repairs of Memorial Health Center building and grounds	1,200.00
To Clerk of Court for maintenance of Courthouse grounds	100.00
Salary of County Attorney	1,000.00
<i>Provided</i> , that the county attorney shall be appointed by the County Board of Commissioners subject to the approval of a majority of the county legislative delegation. <i>Provided</i> , further, that the county attorney shall handle all uniform support cases which have formerly been handled by the circuit solicitor.	
County Contribution to Retirement County Officials	4,800.00
Workmen's Compensation	1,250.00
Workmen's Compensation coverage for Chesterfield County School Teachers and School Employees, if so much be needed	1,500.00
<i>Provided</i> , that the School Teachers and all School Employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund.	
<i>Provided</i> , that the appropriations for a Negro Home Demonstration Agent shall cease when such expense is taken over by the State and Federal Governments.	
County Contribution to Social Security of County Employees	4,200.00
Total, Item 2	\$ 89,575.00

Item 3. Judicial Department:

Salaries of Magistrates:

Courthouse Township	\$ 1,200.00
Pageland Township	1,200.00
Cheraw Township	1,200.00
Alligator Township	960.00
Mt. Croghan Township	960.00
Jefferson Township	960.00

Cole Hill Township	800.00
Pee Dee Township	600.00
Steer Pen Township	600.00
Brock's Mill District	600.00
Per diem and mileage of jurors and witnesses, bailiffs, court crier and other court attaches	7,000.00
<i>Provided</i> , that the bailiffs and court crier shall be paid at the rate of eight dollars for each day of attendance on the court; <i>provided</i> , further, that the bailiffs and court crier and jurors shall be paid mileage both ways for each day of attend- ance on the court at the rate of seven cents per mile; <i>provided</i> , further, that magistrate court jurors in criminal cases shall be paid two dollars each, such payment to be made by the Board of County Commissioners on the certification of the magistrate and to be disbursed by the mag- istrate.	
Total, Item 3	\$ 16,080.00
Item 4. Law Enforcement:	
Sheriff, General Salary	\$ 4,000.00
Sheriff, Travel Expense	2,280.00
Salary, Seven Rural Deputies @ \$3,300.00 each	23,100.00
Uniforms for seven Deputy Sheriffs and Radio Operator, to be approved by Sheriff	1,600.00
Clerical Assistants and Radio Operators for Sheriff's Office	3,510.00
Maintenance and operation of radios for Sheriff and Deputy Sheriffs and Incidentals	1,500.00
Jail Expenses, including dieting of prisoners at \$1.50 per day and incidentals	7,000.00
Cook for Jail	650.00
Post Mortems, Inquests, and Lunacies	1,300.00
Officers' Bond	1,800.00
Magistrates' Constables:	
Pee Dee Township	480.00
Steer Pen Township	480.00
Brock's Mill Township	480.00

Purchase of seven Automobiles for use by Deputy Sheriffs in official performance of their duties 14,000.00

Maintenance and Operation of cars owned by County and used by Sheriff's Department 10,080.00

Provided, maintenance of cars be done at County Shop when possible and that County Board of Commissioners shall purchase equipment necessary for repair and maintenance of said vehicles. *Provided*, further, that Sheriff shall be Custodian of gas, oil, tires purchased by County for use by Sheriff's Department. *Provided*, further, that automobiles shall be used by Deputy Sheriffs in the official performance of their duties only; that each Deputy Sheriff shall file with the Sheriff a record of mileage, gas, oil, etc., each day, and a record of warrants, complaints, arrests, investigations, or other activities; and *provided*, further, that Sheriff shall file and retain each record in his office for a period of at least three years. *Provided*, further, that said automobiles shall be marked on each of the front doors so as to show that the vehicle is owned by the County of Chesterfield, Sheriff's Department.

Total, Item 4		\$ 72,260.00
Item 5. Contributions and Charity:		
Maintenance of Indigents	\$	6,000.00
Physicians' Fees and Drugs		1,000.00
County Tuberculosis Health Nurse, Supplies and Incidentals		964.00
Three National Guard Companies, \$1,000.00 each		3,000.00
Secretarial Help, Soil Conservation Office		1,200.00
Total, Item 5		\$ 12,164.00
Item 6. Chesterfield County Welfare Department:		
Emergency Relief	\$	1,000.00
Emergency Board for Children		1,000.00
Office Rent		900.00

Telephone and Telegraph	240.00
Fire Insurance Premium on Office Equipment ..	45.00
Contingent Fund	500.00
<hr/>	
Total, Item 6	\$ 3,685.00
The Board of County Commissioners is directed and required to supply the necessary fuel, lights, and water for the County Welfare Office and to pay for the same out of the appropriation herein for water, fuel, lights, etc., for the maintenance of public buildings.	
Item 7. General Contingent Fund	\$ 15,000.00
<i>Provided</i> , that this amount, or so much thereof as is required, shall be expended to meet unforeseen emergencies and contingencies by the Board of County Commissioners; <i>provided</i> , further, that any claims or items payable from this fund shall be paid only upon approval in writing of a majority of the county legislative delegation.	
<hr/>	
Total, Item 7	\$ 15,000.00
Item 8. For Annual County Audit, if so much be necessary	\$ 500.00
<hr/>	
Total, Item 8	\$ 500.00
Item 9. Reassessment of Property for Tax Purposes...	\$ 10,000.00
<hr/>	
Total, Item 9	\$ 10,000.00
<hr/>	
GRAND TOTAL	\$309,264.00
Estimated Revenue:	
Gasoline Tax	\$112,000.00
Liquor Tax	29,000.00
Beer and Wine Tax	8,000.00
Income Tax	38,000.00
Insurance License Fee	12,000.00
Bank Tax	3,800.00
Delinquent Tax	9,000.00
Magistrates' Fines	38,000.00

Clerk of Court	11,000.00
County Service Officer	4,500.00
Board of Commissioners	4,000.00
Probate Judge	2,100.00
<hr/>	
Total, Estimated Revenue	\$271,400.00
<hr/>	
Amount to be raised by taxation	\$ 37,864.00

SECTION 2. All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

SECTION 3. The County Commissioners are hereby required to keep a separate account covering the various items of the supply act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the County Board of Commissioners shall make monthly statements of expenditures and balances of the different items, both to the board, and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

SECTION 4. All departments of the County Government shall make requisition to the County Board of Commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the Board of County Commissioners to make any disbursements in excess of the appropriation made herein.

SECTION 5. All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor, and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be purchased by the Board of County Commissioners, upon sealed

competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the Board of County Commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the Board of County Commissioners at a specific hour, on the named day, and that said sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The Board of County Commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Purchasing and Property Division of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The Board of County Commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of said bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the Clerk to the Board of County Commissioners as a permanent record in the office of the County Commissioners.

SECTION 6. The Board of County Commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

SECTION 7. The County Treasurer and Clerk of Court are required to file quarterly statements in duplicate with the County Board of Commissioners, which shall show the amount of fees collected by each of them. In addition the Treasurer's report shall show the amount of cash on hand, the amount of cash in banks, the name of the banks in which deposited; *provided*, that no county warrant for salary shall be issued to the Clerk of Court until said statement is

filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided*, further, that a copy of the Treasurer's report shall be delivered by him to each member of the County Legislative Delegation and the Chairman of the County Sinking Fund Commission.

SECTION 8. All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract, or disbursement, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

SECTION 9. The county auditor is directed to levy eleven mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the County Board of Education, for the insurance of school buildings, and for the purchase or rental of textbooks for the public schools of Chesterfield County.

SECTION 10. The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

SECTION 11. The county auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county, and is hereby directed to levy six mills for the operation of the county.

SECTION 12. The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, a statement of the amount of the 1961 taxes of said taxpayer. The notice shall show the school district and township in which the property of the taxpayer is assessed.

Said statement shall include a notice that a penalty of one per cent will be added to said taxes on January 1, 1962, one per cent on February 1, 1962, and an additional one per cent on March 1, 1962, and an additional four per cent on April 1, 1962. The cost of the

mailing of the notices shall be paid out of the ordinary county fund on the approval of the Board of County Commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular school district.

SECTION 13. With the written approval of a majority of the Legislative Delegation, the Treasurer of Chesterfield County is authorized to borrow money from the South Carolina Sinking Fund Commission in anticipation of the collection of county property taxes. Such loans shall be evidenced by notes signed by the treasurer and taxes shall be pledged for the repayment of the same.

SECTION 14. The Board of County Commissioners is hereby authorized and empowered to pay out of the county contingent fund all necessary costs and expenses incurred by the Tax Collector or the Forfeited Land Commission in connection with the seizure, sale and disposition of real or personal property sold under delinquent tax execution.

SECTION 15. No county gasoline or oil shall be sold to any person or used in any privately owned vehicle, except as otherwise herein provided.

SECTION 16. The Board of County Commissioners is authorized on the filing with it of an official certificate of the County Auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its voucher for the refund of the tax so erroneously paid. The certificate of the Auditor must be annexed to the voucher for the payment of the claim. Said tax refund shall be paid out of the general county fund.

SECTION 17. The deputy sheriff, magistrates and constables, and county game wardens, the State constables, the State Highway patrolmen, and all other State or County peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or statement of all cases made by each of them before the Magistrate of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported and the money fines paid or collected from the defendant in each case. The Sheriff and the Treasurer shall compare the said reports of such law enforcement officers with the reports of the county magistrates to be

filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the Treasurer by the magistrates and the amounts of fines reported by said law enforcement officers, the County Treasurer shall refer the matter to the solicitor for investigation. The County Treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the Sheriff and the Treasurer.

SECTION 18. The Board of County Commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the County Government, and shall set out the same in the monthly report required by the provisions of Section 3 of this act.

SECTION 19. The Board of Trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the County Board of Education, have the budget published at least once in a newspaper published in the said school district, or in a newspaper published at the county seat, if there be no newspaper published in the particular school district; *provided*, that the County Board of Education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1961; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1962; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Col-

lection Of County And School District Taxes For The Year 1961 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof; And To Provide For The Borrowing Of Money For The Clarendon Memorial Hospital.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows:

School District No. 1. A levy of forty-eight mills tax on all taxable property in the district.

School District No. 2: A levy of fifty-three mills tax on all taxable property in the district; *provided*, that ten mills of such levy shall be specially reserved for the retirement of the indebtedness owed by this district to the Sinking Fund Commission.

School District No. 3: A levy of seventy-nine mills tax on all taxable property in the district; *provided*, that twenty-one mills of such levy shall be specially reserved for the retirement of the bonded and other indebtedness.

School District No. S-2: A levy of eight mills on all taxable property in the district.

Three mills of the tax hereinabove levied in each district shall be reserved by the Treasurer of Clarendon County for the retirement of the obligations of the Clarendon Memorial Hospital hereinafter provided. This levy shall be discontinued when this obligation has been paid in full.

For general county operating purposes the provisions of Act 985 of 1960 shall be used with the exception of the tax levy hereinbefore provided for the fiscal year 1961-1962 pursuant to the provisions of Section 14-19, Code of Laws of South Carolina, 1952.

PART II**PERMANENT PROVISIONS**

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent law of the State of South Carolina, and therefore Clarendon County, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the present Code.

SECTION 2. The Board of Trustees of Clarendon Memorial Hospital of Clarendon County and the Treasurer of Clarendon County, with the unanimous approval of the members of the legislative delegation, are authorized to borrow not exceeding eighty thousand dollars from the Division of Sinking Funds and Property, or some suitable lending institution, for permanent improvements and repairs. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the Board of Trustees of Clarendon Memorial Hospital and the Treasurer of Clarendon County. The note or notes shall bear interest at a rate not to exceed four per cent per annum from the date thereof, the interest to be paid annually, and the note or notes shall be payable in not more than ten equal annual installments, with the right to anticipate payments thereof at any annual interest bearing period.

SECTION 3. For the payment of the note or notes the Auditor of Clarendon County shall levy and the Treasurer of Clarendon County shall collect an annual tax on all the taxable property of Clarendon County sufficient to retire the loan and the interest due thereon. The full faith, credit and taxing power of the county is hereby irrevocably pledged to the payment of the indebtedness provided for herein.

PART III

SECTION 1. All acts or parts of acts inconsistent herewith are repealed.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R150, S209)

No. 518**An Act To Authorize The Colleton County Board Of Commissioners And The Treasurer Of Colleton County To Borrow Thirty Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County may borrow money.—The Colleton County Board of Commissioners and the Treasurer of Colleton County are hereby authorized to borrow for general county purposes not exceeding thirty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be due November 2, 1961. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Colleton County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R210, S230)

No. 519**An Act To Authorize The Colleton County Development Board To Lease Certain Lands.**

Whereas, Colleton County owns a tract of land at Bennett's Point; and

Whereas, this land is suitable for use in connection with coastal fishing; and

Whereas, certain persons have indicated a desire to lease the lands with a view toward establishing a shrimp and oyster factory; and

Whereas, it is most desirable to offer employment to all citizens of the county. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County Development Board may lease property.—The Colleton County Development Board is authorized to lease all or any portion of county-owned lands at Bennett's Point to such persons and under such terms and conditions as it deems advisable.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R424, H1812)

No. 520**An Act To Authorize The Treasurer Of Colleton County To Borrow Not Exceeding Sixty Thousand Dollars To Be Used For County Purposes And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County may borrow money.—The Treasurer of Colleton County is authorized to borrow for county purposes not exceeding sixty thousand dollars, which sum shall be borrowed from any source. The amount borrowed shall be evidenced by a

note or notes executed by the treasurer of the county. The note or notes shall bear interest at a rate not to exceed four per cent per annum and shall be payable in five equal, annual, successive installments, with the first installment to be payable one year from the date of the note or notes. The borrower reserves the right to anticipate the payment of part or all of this loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Colleton County shall levy and the treasurer shall collect an annual tax on all of the taxable property of the county sufficient to retire the loan and interest due thereon, and when the loan, together with all interest, has been fully paid the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R633, H1911)

No. 521

An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1961, And The Expenditure Thereof During The Fiscal Year July 1, 1961 To June 30, 1962, And Pertaining To The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to pay appropriations hereinafter made for the fiscal year 1961-1962 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1961, for the amounts and purposes hereinafter set forth.

Item 1. (a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery \$ 75,000.00

(b) Fourth payment, new road machinery	10,000.00
(c) Interest on machinery notes	800.00
(d) Purchase new machinery	20,000.00
(e) Repairs and maintenance on public landings	1,250.00
	<hr/>
Total, Item 1	\$107,050.00
Item 2. Salaries, mileage and expenses:	
(a) Clerk of Court	\$ 4,800.00
Deputy Clerk of Court	2,310.00
Clerical Assistance	2,610.00
Extra Clerical Help	930.00
	<hr/>
	10,650.00
(b) Sheriff	5,200.00
Deputies, three at \$3,600.00 each	10,800.00
Clerk to Sheriff	2,460.00
Expenses for Sheriff and all Deputies for actual travel while conveying prisoners and serving legal process	7,200.00
Expense of Sheriff and Deputies on official business other than above	300.00
Teletype paper for teletypewriter	130.00
Radio Maintenance	350.00
	<hr/>
	26,440.00
(c) Treasurer (County's portion)	3,146.25
Clerk to Treasurer	2,460.00
For postage, materials and expenses of Treasurer in sending notices to taxpayers	800.00
Extra Clerical Help for Treasurer	1,230.00
Purchase new typewriter	175.10
	<hr/>
	7,811.35
(d) Auditor, salary and travel (County's portion) ..	3,146.25
Clerk to Auditor	2,460.00
Extra Clerical Help to Auditor	1,230.00
	<hr/>
	6,836.25

(e) Delinquent Tax Collector, salary	2,600.00
Delinquent Tax Collector, travel	1,500.00
Clerk to Delinquent Tax Collector	2,100.00

 6,200.00

Provided, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.

(f) Coroner	1,091.20
Travel	600.00

 1,691.20

(g) Supervisor	4,800.00
Expenses of Supervisor for travel	1,200.00
Contingent Fund	2,000.00
Two County Commissioners at \$61.60 per month each	1,478.40
Travel for two County Commissioners	300.00
For Clerk to Supervisor	2,340.00
Extra Clerical Services	1,980.00

 14,098.40

(h) Attorney for County	531.30
-------------------------------	--------

 531.30

(i) Judge of Probate	3,600.00
Deputy Judge of Probate or Clerk	2,610.00
For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims	300.00
Extra Clerical Help	300.00
Purchase Decree Book and filing cabinet	365.00

 7,175.00

(j) Expert to Grand Jury	76.00
--------------------------------	-------

 55,788.60

 76.00

(k) Magistrates, seven at \$456.00 each	3,192.00
Expense accounts to be paid in 4 equal quarterly installments without statements of \$144.00 each	1,008.00
One at Walterboro	2,422.00
One at Green Pond	900.00
Expense account to be paid in 4 equal quarterly installments without statements of \$36.00	144.00
	<hr/>
	7,666.00
(l) Constables, five at \$379.00	1,895.00
One at Walterboro	1,978.50
One at Warren Township	625.00
One at Canadys	515.00
One at Sheridan and Glover Townships	515.00
Expenses for Constables for conveying prisoners by the most practicable routes of travel at the rate of seven cents per mile each way, and no constructive mileage to be charged	375.00
	<hr/>
	5,903.50

Provided, that constables shall receive for service of civil process from the party instituting an action mileage charges at the rate of seven cents per mile which charges shall be retained by said constable and shall be collected by said constable prior to service of process. *Provided*, further, that in no event shall the mileage charges be less than twenty-five cents.

(m) County Boards:	
Board of Equalization, to be expended on vouchers of County Auditor	828.00
Board of Registration	1,366.00
	<hr/>
	2,194.00
(n) Janitors (4) for all public buildings including library, to be employed, work assigned and salaries fixed by county supervisor	4,500.00
	<hr/>
	4,500.00
	<hr/>
Total, Item 2	\$101,773.00

Item 3.	Jail Expenses, including dieting of prisoners, fuel, etc.	\$ 6,100.00
	Jailer, extra compensation to be paid in monthly installments	759.00
	<i>Provided</i> , the jailer may make contracts with municipalities in Colleton County to diet prisoners. <i>Provided</i> , further, that municipalities making such contracts shall pay 25¢ per day per prisoner to the County Supervisor for County General Fund purposes for jail building maintenance, said sums to be accounted quarterly.	
	Total, Item 3	\$ 6,859.00
Item 4.	Court Expenses, Jurors and Witnesses	\$ 5,000.00
	Civil and Criminal Court, Judge's Salary	3,600.00
	Court Reporter, upon Court Order	600.00
	<i>Provided</i> , Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law.	
	Total, Item 4	\$ 9,200.00
Item 5.	Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare	\$ 3,000.00
	To be paid by Supervisor as needed by proper voucher of Department of Public Welfare.	
	Telephone, Department of Public Welfare	95.00
	<i>Provided</i> , not exceeding fifty dollars shall be paid for each pauper funeral.	
	Total, Item 5	\$ 3,095.00
Item 6.	Post Mortems, Inquests and Lunacies	\$ 1,100.00
	Total, Item 6	\$ 1,100.00
Item 7.	Bond Premiums for public officials	\$ 1,500.00
	Total, Item 7	\$ 1,500.00

Item 8. Public Buildings, including water, fuel, lights and insurance		\$ 9,000.00
For caretaker for Courthouse and Jail grounds ..		132.00
<i>Provided</i> , the Supervisor shall furnish fertilizer and labor for maintaining shrubbery and flowers.		
<i>Provided</i> , further, that the Supervisor may use the rents to be collected for the use of public buildings to supplement the funds herein appropriated for public buildings.		
Maintenance Man		2,400.00
Total, Item 8		\$ 11,532.00
Item 9. (a) Printing, postage, books, stationery, including Magistrates' blanks		\$ 6,500.00
(b) Publication of Supervisor's Reports		550.00
(c) For publishing notices of tax sales, if so much be necessary		400.00
<i>Provided</i> , the Delinquent Tax Collector shall add to the cost of each tax sale the cost of publication and collect the same from each tax sale for the General Fund of the County.		
Total, Item 9		\$ 7,450.00
Item 10. Health:		
(a) Vital Statistics		\$ 480.00
(b) County Health Department (including rabies control \$500.00), but not including Health Officer's salary		15,726.60
<i>Provided</i> , the above amount shall be expended under a budget prepared by the Health Department and approved by the delegation, and shall be paid in twelve equal monthly installments upon voucher of County Health Department.		
(c) Colleton T. B. Association, upon voucher signed by president and executive secretary of the association for T. B. Patients		500.00
Total, Item 10		\$ 16,706.60

Item 11. Club Work and Demonstration Expenses:

(a) Boys' 4-H Club activities, including camp and supplies for county agent's office	\$ 400.00
(b) Women's and girls' short courses, Winthrop trip and prizes for women	300.00
(c) Miscellaneous for Home Demonstration Agent's office	150.00
(d) Supplement, Farm Agent's salary	528.00
(e) Supplement, Assistant Farm Agent's salary	300.00
(f) Supplement, Farm Agent's Stenographer, salary	396.00
(g) Supplement, Home Agent's Stenographer, salary	198.00
(h) Future Farmers of America	50.00
(i) For prizes, Livestock Show at Walterboro, to be expended by Colleton County FFA Federation	500.00
(j) 4-H Livestock Show	250.00
(k) For Negro Farm and Home Demonstration Work and for 4-H activities, to be expended under direction of County Agent, including Livestock Show	2,842.00
(l) Telephone and extension—Home Agent's office	111.14
(m) Telephone—Negro Agent's office	129.84

Total, Item 11	\$ 6,154.98
----------------------	-------------

Item 12. Workmen's Compensation, Retirement and Social Security:

(a) Workmen's Compensation Insurance, including 1960-61 deficit	\$ 2,711.99
(b) Employer's portion, Retirement of county employees, current year and including 1960-61 deficit	6,700.00
(c) Employer's portion, Social Security on county employees for period July 1, 1961 to June 30, 1962, including 1960-61 deficit	5,500.00

Total, Item 12	\$ 14,911.99
----------------------	--------------

Item 13. Tax Refunds:

O. Evans	\$ 21.00
Ruth Washington	7.00
Ross Singleton	11.87

A. J. Novit	33.60
Mrs. Ben Harley	7.84
Earl S. Crosby	3.00
Rosa Singleton	1.68
Nathan Jones	31.36
W. W. Fick	1.96
Prentiss Padgett	9.00
S. S. Smoak and O. H. Rhodes	3.64
Blease Hudson	3.00
George Grinson	3.00
Ellison Youmans	9.00
J. T. Bailey	6.00
Wendell O. Adams	4.00
Heirs of Eleas Williams	4.00
Bergerland	16.24
M. H. Godley	3.00

Total, Item 13\$ 180.19

Item 14. Colleton County Memorial Library:

Salaries:	
Chief Librarian	\$ 3,630.00
Assistant	2,200.00
Assistant	2,200.00
Part-time assistant ..	550.00
Part-time typist	360.00
Extra Assistance in the discretion of the Board	1,200.00
Books, Binding, Periodicals	3,000.00
Bookmobile, Gas, Oil, Tires, Repairs	750.00
Supplies and Equipment, including one desk ...	500.00
Conference and Workshop Expenses	100.00

14,490.00

Less Expected Revenue:

City Appropriation	900.00
State Aid to Library	1,500.00

2,400.00

Total, Item 14\$ 12,090.00

Item 15. Colleton County Development Board\$ 7,500.00

Total, Item 15\$ 7,500.00

Item 16. Miscellaneous:

(a) County Civil Defense to be expended upon voucher of Chairman Colleton County Civil Defense	\$ 300.00
(b) Annual Audit	600.00
(c) Company Maintenance Fund, National Guard Unit	750.00
(d) Supplemental Salary, Director of Public Welfare	396.00
(e) Historical Society	250.00
(f) Interest on loan budget and control board	1,200.00
(g) Maintenance of county boat and motor—Search and Rescue Organization	200.00
(h) Gasoline and motor oil for boats of Search and Rescue Organization on actual missions	200.00
(i) Care and maintenance of bloodhounds	100.00
(j) Typewriter, Sheriff's office	366.00

Total, Item 16\$ 4,362.00

Total, County\$311,464.76

Item 17. Schools:

County's portion of support of public schools ..	\$450,000.00
Less Estimated Revenue for Schools:	
State M & O and Supervision	94,230.00
Federal Aid	42,000.00
Transfer from Special School Reserve	13,200.00
Tuition for Ehrhardt pupils	2,440.00

Total Estimated Revenue for Schools\$151,870.00

Net appropriation to be raised by property tax for schools\$298,130.00

GRAND TOTAL\$609,594.76

Less Estimated Revenue, other than from property taxes:

Gasoline Tax\$115,000.00

Commutation Road Tax	5,000.00
Fines, Licenses, Fees	40,000.00
State Insurance Tax	12,000.00
Receipts from Beer, Wine and Alcoholic Bever- ages	30,000.00
Bank Tax	2,400.00
Portion of Income Tax from State	26,000.00
Credit on Hospital Operation	13,904.00
Estimated transfer of Delinquent Taxes per Sec- tion 3, paragraph 2	15,000.00
Transfer of County Funds	36,000.00
<hr/>	
Total Estimated Revenue	\$295,304.00
<hr/>	

Amount to be raised by property taxation for
general purposes and schools\$314,290.76

SECTION 2. The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes for the year 1961, and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

SECTION 3. The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and for debt service and shall use same in preparing the tax books for Colleton County.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended insofar as they relate to the funds to be derived from the collection of delinquent taxes for the tax year of 1960, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1960 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1960, and

hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

SECTION 4. If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

SECTION 5. All funds received by the county from whatever source realized above the amount necessary to pay the appropriations hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law.

SECTION 6. The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

SECTION 7. Travel allowances for county officers who are allowed travel on a mileage basis hereafter shall be at the rate of seven cents per mile and this shall become a part of the permanent law.

SECTION 8. In the event the 1961 General Assembly fails to enact legislation providing for the withholding of a portion of the State Income Tax allotted to counties, so as to increase the per capita allotted from thirty cents to fifty cents per capita to provide for the necessary medical services for certain persons sixty-five years of age or older, the amount credited to the Colleton County Hospital shall be eight thousand three hundred forty-four dollars and eighty cents in lieu of the sum hereinabove credited.

SECTION 9. The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care.

SECTION 10. All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R238, H1378)

No. 522

An Act To Appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1961-62; For The Expenditure Thereof; And To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of twenty-one thousand ninety dollars is hereby appropriated for educational purposes for Darlington County for the fiscal year 1961-62. The sum shall be expended for the following purposes:

Item 1. Travel Expenses, County Superintendent of Education	\$ 700.00
Item 2. Bookkeeper and Secretary	3,300.00
Item 3. Stenographer	3,000.00
Item 4. Stenographer	2,800.00
Item 5. Office Supplies and Equipment	1,400.00
Item 6. Travel for Visiting Teacher	700.00
Item 7. Salary, Superintendent of Education	4,020.00
Item 8. Board of Education, 7 members @ \$25.00 each per month	2,100.00
Item 9. Board of Trustees, 9 members @ \$180.00 per year and 1 Secretary @ \$250.00 per year. Stamps, etc., \$100.00	1,970.00
Item 10. School Lunch Office—Trucking Produce	900.00
School Lunch Secretary	200.00

Total\$ 21,090.00

The auditor shall levy, and the treasurer shall collect, a tax on all the taxable property of the county sufficient to pay the above appropriation.

SECTION 2. The Board of Trustees of Darlington County School District shall, before July 1961, file with the county board of education a proposed budget for each school in the county for the 1961-62 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board shall examine all budgets and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section-1.

SECTION 3. This act is supplementary to the General Appropriation Act of Darlington County which might be in effect for the 1961-62 fiscal year and the permanent school levies for Darlington County, and shall in no respect be considered as a repeal of them or any part thereof.

SECTION 4. The funds herein appropriated shall be expended by the county treasurer in the usual way, but upon request of the superintendent of education, or the chairman of the county board of education.

SECTION 5. The county board of education may supplement salaries or expenses of the superintendent of education or other office employees out of any funds in their hands that can legally be expended for such purposes.

SECTION 6. All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

An Act To Amend Act No. 392 of the Acts Of 1959, Relating To Borrowing By The School District Of Darlington County, So As To Further Prescribe The Conditions Under Which The Borrowing May Be Effected; And To Provide That A Sufficient Tax Levy Shall Be Made To Effect The Payment Of The Principal And Interest To Become Due On All Borrowings Effected Pursuant To Such Act.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 392 of 1959 amended—Darlington County School District may borrow money.—Section 1 of Act No. 392 of the Acts of 1959 is amended to read as follows :

“Section 1. The Board of Trustees of The School District of Darlington County (herein called ‘the school district’) is authorized to incur indebtedness from time to time for the improvement of school buildings, the construction of new school buildings and the purchase of land and school equipment ; *provided*, that all indebtedness so incurred shall be within applicable constitutional debt limitations.”

SECTION 2. Section 2 of Act 392 of 1959 amended—bonds or notes—maturity—execution—interest—sale.—Section 2 of Act No. 392 of the Acts of 1959 is amended to read as follows :

“Section 2. In order to raise moneys to provide additional public school facilities for the school district, the board of trustees of the school district are authorized and empowered to issue and sell general obligation bonds or general obligation notes of the school district. All obligations issued pursuant to this act shall mature in such annual series or instalments as the board of trustees shall prescribe, except that no obligation issued pursuant to this act shall mature more than five years from the date as of which it shall be issued. Obligations issued pursuant to this act may be in the form of negotiable coupon bonds or notes, payable to bearer, and registered as to principal upon the books of the Treasurer of Darlington County, upon such conditions as the board of trustees may prescribe. They may also be issued in fully registered form. Such obligations shall be in such denomination or denominations as the board of trustees shall prescribe and may be made payable at such places, within or without the State, as the board of trustees shall designate. Obligations issued pursuant to this act shall bear interest at rates determined by the board of trustees and shall be executed in such manner as the board of trustees shall by resolution prescribe. All obligations issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their delivery, after public advertisement in a newspaper of general circulation in South Carolina, to appear not less than ten days prior to the occasion set for opening bids. Such obligations shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952. The proceeds derived from the sale of all obligations issued pursuant to this act shall be paid to the Treas-

urer of Darlington County and deposited by him in a capital fund account, for the school district, and shall be expended by the County Superintendent of Education, under the direction of the board of trustees of the school district, for the purposes for which issued, except that:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds; and

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds."

SECTION 3. Section 3 of Act 392 of 1959 amended—payment.—Section 3 of Act No. 392 of the Acts of 1959 is amended to read as follows:

"Section 3. For the payment of the principal and interest of all indebtedness incurred pursuant to this act, as the same respectively mature, the full faith, credit and taxing power of The School District of Darlington County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Darlington County, and collected by the Treasurer of Darlington County, in the same manner as county taxes are levied and collected, a tax on all taxable property in the school district, sufficient to pay the principal and interest as the same respectively mature."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1961.

An Act To Authorize The County Commission Of Darlington County To Acquire Additional Office Facilities For County And Public Officers In Darlington County, And To Finance The Same By The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of Darlington County; To Prescribe The Conditions Under Which Such Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the County Commission of Darlington County, created by Act No. 874 of the Acts of 1960 (herein called the "County Commission") has reported a need for additional office space for county and public officers in Darlington County and has indicated that the same may be obtained either through additions and enlargements made to the existing courthouse or through the construction or acquisition of a suitable building in Darlington within a reasonable distance of the courthouse. It takes note of the fact that while the County Commission is empowered to issue bonds if an election as required by Act No. 874 of the Acts of 1960 shall result favorably, no power to issue bonds exists in the County Commission unless such an election be held. The General Assembly, after due consideration, has determined that sufficient need exists to permit the County Commission to proceed with its plan of providing additional office space, without the holding of an election, and therefore, enacts this act in order to empower the County Commission to provide the needed additional office space and to finance the cost thereof with the proceeds of general obligation bonds of Darlington County to be issued pursuant to the authorizations of this act.

SECTION 2. Darlington County may acquire additional office space.—The General Assembly expressly authorizes the County Commission to obtain additional office space for county and public officers in Darlington County, either through additions and enlargements of the existing county courthouse, or through the acquisition, by construction or purchase, of a suitable building for such purpose. Such undertaking, including such equipment and furnishings as may prove necessary, shall be effected at a cost of not exceeding two hundred thousand dollars, and prior to the issuance of the bonds authorized by this act, an appropriate finding shall be made by the County Commission to establish that the project herein authorized can be satisfactorily carried out at a cost not exceeding two hundred thousand dollars.

SECTION 3. Bonds may be issued.—In order to provide the funds required for the project authorized to be undertaken by this act, the County Commission is hereby authorized and empowered to issue general obligation bonds of Darlington County in the aggregate principal amount of not exceeding two hundred thousand dollars.

The action to be taken by the County Commission in effecting the issuance of the bonds authorized by this act may be taken at a special or regular meeting and may be in the form of a resolution which shall become effective immediately upon its adoption, but no action shall be taken to authorize the issuance of the bonds unless the County Commission shall determine that the project herein authorized can be satisfactorily completed at a cost to Darlington County not exceeding two hundred thousand dollars.

SECTION 4. Issue—maturity.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues. They shall mature in such series or instalments as the County Commission shall from time to time determine. The first bonds of each issue shall mature not later than two years from the date as of which they shall be issued, and the last maturing bonds of each issue shall mature not later than twenty years from the date as of which they shall be issued.

SECTION 5. Redemption—interest—dates.—Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the County Commission. They shall bear such rates of interest as the County Commission shall determine, payable semiannually. They shall bear such date and be payable at such places as the County Commission shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Darlington County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the County Commission may prescribe.

SECTION 6. Execution.—The bonds shall be executed, and the coupons authenticated, in such manner as the County Commission shall by resolution prescribe.

SECTION 7. Sale.—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be deposited with the Treasurer

of Darlington County is a special fund, separate and distinct from all other funds, and shall be expended, upon the order or warrant of the County Commission, as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds;

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and for expenses to be incurred by the County Commission in performing the functions committed to it by this act; and

(d) If any balance remain, the same shall be used to effect the retirement of the bonds authorized hereby.

No purchaser or subsequent holder of any of the bonds issued pursuant to this act shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 9. Payment.—The full faith, credit and taxing power of Darlington County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 10. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Authorize The State Highway Department To Construct A Certain Road In Dillon County And To Add The New Road To The State Highway System And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may construct road in Dillon County.—The State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Dillon County from the present terminus of Road No. 22 and running in a southwesterly direction to its connection with Road No. 42 near the Pee Dee State Park, a distance of approximately one and one-half miles.

SECTION 2. Cost of.—The cost of constructing the road provided for by this act shall be charged to the secondary highway funds accruing to Dillon County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R493, S388)

No. 526

An Act To Authorize And Direct The Dillon County Fish, Forestry, Game And Recreation Commission To Study The Feasibility Of Constructing A Lake Along Little Pee Dee River Near Dillon In Dillon County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County—study possibility of constructing a lake near Little Pee Dee River.—The Dillon County Fish, Forestry, Game and Recreation Commission is hereby authorized and directed to study the feasibility of constructing a lake along Little Pee Dee River in the vicinity of the City of Dillon in Dillon County. The commission is requested to consult with various Federal and State agencies and seek their advice on the feasibility of constructing such a lake and to report its findings and recommendations to the Dillon County Legislative Delegation as soon as practicable.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R495, S401)

No. 527

An Act To Authorize The Board Of Trustees Of School District No. 2, Dillon County, And The Treasurer Of The County To Borrow Not Exceeding Three Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County School District 2 may borrow money.—The Board of Trustees of School District No. 2 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding three hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and

directed to withhold all State funds accruing to the school district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R501, S352)

No. 528

An Act To Provide For The Election Of A Member To The Dillon County Board Of Commissioners.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County—election of commissioner from Huggins Township.—There shall be nominated and elected in the primary and general election to be held in 1962 a commissioner to the Dillon County Board of Commissioners who shall be a resident of the newly-created Huggins Township.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R615, H1851)

No. 529

An Act To Make Supplemental Appropriations For The Fiscal Year 1960-1961 From The General Fund Of Dillon County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1960-1961 are made from the general fund of Dillon County:

Miscellaneous Contingent (Commissioners)	\$ 500.00
Printing, Postage, Stationery	2,500.00
Public Buildings	7,000.00
Retirement, County Officials	1,200.00
Social Security, County Officials	2,200.00
Street Lights	400.00
Workmen's Compensation Insurance	574.65
Emergency Casket	750.00
Operation, Chain Gang	1,700.00
Annual Audit 1960—F. B. David	1,800.00
Civil Defense Operating Fund for Last Quarter 1960	750.00

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R663, H1975)

No. 530

An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of ten mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1961, for the amounts and for the purposes hereinafter stated, that is to say:

A. Salaries:

Auditor's Office:

County Auditor, Salary	\$ 2,100.00
Mileage	200.00
Deputy Auditor	2,800.00

The County auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.

Deputy Auditor is hereby assigned as assistant
custodian of grounds of public buildings and
auditing machines 200.00

Total\$ 5,300.00

Treasurer's Office:

County Treasurer, Salary\$ 2,100.00

Mileage and Office Expense 200.00

Clerk to County Treasurer 2,700.00

Total\$ 5,000.00

Clerk of Court's Office:

Clerk of Court, Salary\$ 5,400.00

Mileage and Office Expenses 200.00

Additional Duties, Clerk of Court 300.00

Clerk to Clerk of Court 2,800.00

Provided, the Clerk of Court is herewith as-
signed additional duties of custodian of Court-
house and photographic machine operator.

Total\$ 8,700.00

Sheriff's Office:

Sheriff, Salary\$ 5,200.00

Sheriff, Mileage 1,800.00

Deputy Sheriffs, 5 @ \$3,600.00 each 18,000.00

5 Deputy Sheriffs, mileage @ \$1,800.00 9,000.00

Radio Supplies, Equipment 900.00

Jailer-Radio Operator 2,000.00

Clerk to Sheriff 2,600.00

Provided, the sheriff shall designate one deputy
as the Chief Deputy and for such additional
duties he shall be compensated annually, addi-
tional salary 300.00

The sheriff shall designate one deputy as Special
Deputy and for such additional duties he shall
be compensated annually, additional salary 300.00

Use of personal cars—Sheriff and 5 Deputies,
each @ \$600.00 annually, payable monthly 3,600.00

Provided, the Sheriff shall dispose at public sale
all confiscated automobiles, trucks or other
vehicles on hand, within a period of sixty days

of seizure, and deposit the proceeds with the County Treasurer to be used for educational purposes.

Total	\$ 43,700.00
Probate Judge's Office:	
Judge of Probate, Salary	\$ 4,500.00
Mileage and Office Expense	200.00
Clerk to Probate Judge	2,800.00
Clerk to Probate Judge—part time	1,200.00

Total	\$ 8,700.00
County Board of Commissioners:	
Chairman, Salary	\$ 780.00
Chairman, Mileage	100.00
Five Commissioners @ \$600.00 each	3,000.00
Five Commissioners, Mileage	500.00
Clerk to County Board	2,600.00
Dieting of Prisoners	1,500.00
Emergency Fund—Jail Medicines	450.00
Pauper Burials @ \$75.00 each	1,500.00
Road Supervisor, Salary	3,700.00
Road Supervisor, Mileage and Expense	600.00
Operational Fund for Road Maintenance, Bridges, etc.	34,000.00
Chain Gang Guards, 5 @ 2,800.00	14,000.00
One Mechanic	2,800.00
Clerk to Delegation, provided that Clerk of Board of Commissioners shall serve as Clerk to Delegation	300.00
Dillon County Chamber of Commerce	1,500.00
Dillon Rescue and First Aid	500.00
Street Lights for Unincorporated Communities	1,500.00

Total	\$ 69,330.00
Board of Education Office:	
Chairman, @ \$65.00 per month	\$ 780.00
Two Members, @ \$600.00 each	1,200.00
Clerk to County Board of Education	2,700.00
Jeanes Teacher, Salary	2,800.00
Jeanes Teacher, Mileage	480.00

Attendance Teacher, Mileage Expenses	600.00
County Superintendent of Education, Mileage Expense	1,100.00

Total\$ 9,660.00

Board of Health:

Clerk I, Salary\$ 1,258.00

Clerk I, Part-time 1,053.00

Travel:

Health Officer 750.00

Sanitarian III 1,680.00

P. H. Nurse 1-B 1,000.00

P. H. Nurse 1-A 1,000.00

P. H. Nurse 1-A 1,000.00

Miscellaneous Office Expense 800.00

Medicine for Indigent T. B. Patients 200.00

Chest X-Ray Clinic 500.00

Crippled Children's Travel 1,000.00

Total\$ 10,241.00

Department of Public Welfare:

Mileage and use of personal cars for 6 workers

@ \$300.00\$ 1,800.00

Telephone 500.00

Chairman 420.00

Two Members, @ \$360.00 each 720.00

Two Clerks, @ \$180.00 each 360.00

Mileage, Child Welfare Worker 720.00

Miscellaneous Expense—Office 1,440.00

Welfare Fund, for Out-of-County Expenses ... 200.00

Emergency Aid Fund, includes hospitalization and medical care for paupers only—not on Welfare Rolls 13,000.00

Provided, that hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Dillon County and there shall not be expended on any one case a greater sum than \$150.00.

Provided, further, that the Board may in extreme cases approve further expenditures, but the county shall not be liable for additional sums

unless authorization by the Board is first secured.
This fund shall be drawn quarterly by the Board
of Public Welfare from the County Board of
Commissioners on vouchers.

Total	\$ 19,160.00
Office of County Service Officer :	
Service Officer, Salary	\$ 3,600.00
Service Officer, Mileage	800.00
Assistant to Service Officer	2,600.00
Office Expense	300.00
Total	\$ 7,300.00
Tax Collector's Office :	
Assistants to Tax Collector	\$ 3,500.00
<i>Provided</i> , this fund shall be disbursed on a basis of two dollars for each tax execution collect- ed by Tax Collector or Assistant Collectors, and that their claims shall be approved by the De- linquent Tax Collector before approval and pay- ment by the County Board of Commissioners.	
Clerk to Delinquent Tax Collector	2,600.00
Total	\$ 6,100.00
Magistrates:	
Dillon	\$ 2,400.00
Little Rock	750.00
Latta	2,220.00
Kirby	420.00
Lake View	1,000.00
Fork	420.00
Total	\$ 7,210.00
Master's Office:	
Master, Salary	\$ 2,400.00
<i>Provided</i> , clerical help be paid by Master from salary.	
Total	\$ 2,400.00
Coroner's Office:	
Coroner, Salary	\$ 1,200.00

Stenographer to Coroner	200.00
<i>Provided, that stenographer shall be paid by County Board of Commissioners at the rate of \$7.00 per inquest.</i>	
Mileage	200.00
Total	\$ 1,600.00
County Attorney's Office:	
County Attorney, Salary	\$ 300.00
Total	\$ 300.00
Janitors:	
Janitors at Courthouse	\$ 1,700.00
Janitor at Agricultural Building	1,500.00
Janitor at Health Center	1,500.00
Total	\$ 4,700.00
B. Jurors	\$ 3,000.00
<i>Provided, jurors be paid at rate of \$6.00 per day.</i>	
Total	\$ 3,000.00
C. Post Mortems, Inquests, Lunacy Examinations ..	\$ 1,000.00
Total	\$ 1,000.00
D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone	\$ 15,000.00
<i>Provided, however, that all long distance telephone calls be reported separately to the Board of Commissioners before any bills shall be paid, such reports to be submitted by the first Monday in each month.</i>	
Total	\$ 15,000.00
E. Dillon Armory	\$ 1,800.00
Total	\$ 1,800.00
F. Cancer Society	\$ 750.00
Dillon County Mental Health Association	250.00
Total	\$ 1,000.00

G. Printing, Postage, Stationery	\$ 6,000.00
Total	\$ 6,000.00
H. Contingencies:	
Miscellaneous Contingent Fund	\$ 7,500.00
<i>Provided</i> , \$6,500.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$1,000.00 shall be spent upon approval of the County Board of Commissioners. Amount to be used for Uniform Reciprocal Enforcement of Support Act to be disbursed @ \$25.00 per case.	750.00
Total	\$ 8,250.00
I. Latta Library	\$ 14,370.00
Funds to be paid monthly by County Board of Commissioners on vouchers properly drawn by Latta Library Association—also operation Negro Libraries.	
Total	\$ 14,370.00
J. Vital Statistics	\$ 300.00
Total	\$ 300.00
K. Postage, Home and Farm Agents	\$ 50.00
4-H Club—Boys'	175.00
4-H Club—Girls'	175.00
Home Demonstration Supplies	50.00
Boy Scout Work	250.00
Girl Scout Work	150.00
Home Demonstration Agent, Salary Supplement	120.00
County Agent, Salary Supplement	420.00
Assistant County Agent, Mileage	120.00
Dillon Soil Conservation Dist.	700.00
Game Warden, Mileage	300.00
Total	\$ 2,510.00
L. Retirement Fund, County Officials	\$ 3,000.00
Social Security, County Officials	2,000.00
Workmen's Compensation	825.00
Total	\$ 5,825.00

M. Chaplain for Chain Gang	\$ 300.00
Total	\$ 300.00
N. Salary, one Clerk, Farm Security Adiminstra- tion	\$ 2,600.00
Total	\$ 2,600.00
O. Board of Equalization	\$ 900.00
Total	\$ 900.00
P. Dunbar Memorial Library:	
Librarian, Salary—\$25.00 monthly	\$ 300.00
Total	\$ 300.00
Q. Forestry Board:	
Operation—Two Trucks @ \$300.00	\$ 600.00
Total	\$ 600.00
R. American Legion	\$ 350.00
V.F.W.	350.00
Lake View American Legion	350.00
Mrs. A. B. Jordan—Retirement @ \$75.00 per month	900.00
B. F. Gasque—Retirement @ \$100.00 per month	1,200.00
Total	\$ 3,150.00
Director of Civil Defense, Rural Fire and Rescue	\$ 6,600.00
Travel	600.00
Clerk—Director's Office	2,040.00
Clerk—Mileage & Travel	600.00
Civil Defense Administrative Expense	1,680.00
Engineer & Maintenance Men 2 @ \$3,600.00 ..	7,200.00
Rural Fire Department Operations	1,500.00
Civil Defense Surplus Property, if so much be needed	1,500.00
Rural Firemen Compensation	2,500.00
<i>Provided, the above sum shall be expended at the rate of \$5.00 per rural fire on individual vouchers submitted quarterly and approved by Dillon County Rural Fire Director.</i>	

Payment to City of Dillon as one-third of total payment for manning teletypewriter used for civil defense purposes	3,000.00
--	----------

Total	\$ 27,220.00
-------------	--------------

GRAND TOTAL—APPROPRIATIONS ..	\$303,526.00
-------------------------------	--------------

Estimated Amount of Deductions and Discounts	
--	--

Tax Discount Act	\$ 5,000.00
------------------------	-------------

Estimated Amount of 1959-1960 Nulla Bona	
--	--

Tax Executions	5,000.00
----------------------	----------

Total	\$ 10,000.00
-------------	--------------

GRAND TOTAL—	
--------------	--

ALL APPROPRIATIONS	\$313,526.00
--------------------------	--------------

Less Estimated Revenue—Other Than Taxes:	
--	--

Insurance Tax from State	\$ 16,000.00
--------------------------------	--------------

Fines and Costs—Magistrate	25,000.00
----------------------------------	-----------

Gasoline Tax from State	90,000.00
-------------------------------	-----------

Liquor Tax and Licenses from State	30,000.00
--	-----------

Income Tax from State	35,000.00
-----------------------------	-----------

From State for Service Officer's Office	5,000.00
---	----------

Fees and Commissions from County Offices ...	25,100.00
--	-----------

Beer Tax from State	10,000.00
---------------------------	-----------

Bank Tax from State	1,000.00
---------------------------	----------

Civil Defense Compensation	5,160.00
----------------------------------	----------

Total	\$242,260.00
-------------	--------------

Net to be raised from Taxation	\$ 71,266.00
--------------------------------------	--------------

SECTION 2. Supplies such as coal, fuel, food, office and other supplies for operation of the County Courthouse, Agricultural Building, Health Centers, Jail and Chain Gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

SECTION 3. The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and installations at the chain gang camp and

such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

SECTION 4. The appointment of the jailer shall be the duty of the sheriff, and he shall be fully responsible for the jailer's duties and actions. The jailer is also to be radio operator at the jail's remote control station.

SECTION 5. The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided*, further, that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from the county back into the State, except the amount therefor first be approved by the board of county commissioners.

SECTION 6. The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1961-1962 for the following purposes: county ordinary, ten mills; teachers' salaries, thirteen mills; two mills teachers' sick leave for a maximum annual sick leave of five days per teacher. @\$7.00 per day; incidental expenses for schools, eight mills; building repairs for school, six mills; insurance on public school buildings, two mills; and school lunches, one mill, to be used for lunches upon recommendation of county board of education. *Provided*, no dog tax shall be levied.

SECTION 7. The commutation road tax for the year 1961-1962 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual appropriations act.

SECTION 8. The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from Dillon County. *Provided*, further, that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

SECTION 9. The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours shall be from 8:30 A. M. to 12 noon. *Provided*, further, that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided*, further, November eleventh and December twenty-sixth are hereby designated as legal holidays in Dillon County.

SECTION 10. All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as nulla bona, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed

to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any nulla bona item shall be written on the face thereof.

SECTION 11. The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

SECTION 12. The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided*, such change in levy is approved in writing by a majority of the Legislative Delegation, including the Senator, from Dillon County.

SECTION 13. All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

SECTION 14. It shall be the duty of the probate judge to make a charge of one dollar for issuance of certified copies of marriage licenses to a non-resident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

SECTION 15. Each month all monies turned over to the county treasurer by the delinquent tax collector shall be distributed equally among the three school districts by the county treasurer, and shall be expended on this basis as directed by the county board of education.

SECTION 16. The Dillon County Legislative Delegation is hereby authorized to have an audit made covering the fiscal year 1961-1962 of any and all offices and departments of Dillon County and shall pay for the same out of the county general fund subject to the approval of a majority of the delegation, including the Senator.

SECTION 17. The Board of County Commissioners of Dillon County shall have no authority to make donations for any purposes.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R54, S100)

No. 531

An Act To Provide For The Appointment And Terms Of Office Of The Members Of The Dorchester County Forestry Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County Forestry Board — members and terms.—The County Forestry Board for Dorchester County shall be composed of the following members who shall assume office upon the effective date of this act, and whose terms of office shall expire at the times indicated following their names:

- (a) J. R. Bell for a term to expire June 30, 1961;
- (b) Harry W. Pennington for a term to expire June 30, 1962;
- (c) William Kizer for a term to expire June 30, 1963;
- (d) V. S. Varner for a term to expire June 30, 1964;
- (e) George L. Tupper for a term to expire June 30, 1965.

Thereafter vacancies upon the Board shall be filled in the manner provided in Section 29-55, Code of Laws of South Carolina, 1952. Each of the terms, after the initial terms herein provided, shall be for a period of five years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R69, S131)

No. 532

An Act To Amend Act No. 341 Of The Acts Of 1937, Relating To The Management Of The Dorchester County Hospital, So As To Increase The Membership Of The Board Of Directors And Define Their Terms Of Office.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 341 of 1937 amended—Board of Directors for Dorchester County Hospital—elections—terms—vacancies.—Section 3 of Act No. 341 of the Acts of 1937 is amended by striking out the section and inserting in lieu thereof the following :

"Section 3. There shall be elected annually from the Association a President, Vice-President, Secretary and Treasurer. There shall be elected annually a Board of Directors consisting of eleven persons, nine of whom shall be elected from the members of the Association and two of whom shall be practicing physicians and members of the medical staff of the hospital. The two practicing physicians shall be elected for one year, and membership on the board by members of the medical staff shall be rotated. At the next annual meeting of the Association, of the nine members elected to the board from the membership, three shall be elected for a term of one year, three shall be elected for a term of two years, and three shall be elected for a term of three years. Thereafter, these members shall be elected for terms of three years. Any vacancy occurring on the board shall be filled at the next annual meeting for the unexpired term.

No officer, except the Treasurer, shall be entitled to any compensation for his services, and the Treasurer of the Association shall only be paid such compensation as shall be fixed by not less than three fourths of the members of the board, and shall be paid from the funds of the Association."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R258, H1620)

No. 533

An Act To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1961, and ending June 30, 1962; and the Auditor of Dorchester County is hereby authorized to levy, and the Treasurer to collect, a tax upon all the taxable property in the county sufficient to defray the same, after deducting all other available income and revenue :

Item 1. Roads and Bridges—Convicts and Maintenance of Road Organiza- tion and Equipment	\$ 52,000.00
Total Item 1	\$ 52,000.00
Item 2. Salaries:	
Clerk's Office:	
Clerk of Court	\$ 1,800.00
Clerical Help to Clerk (Two Clerks @ \$2,700.00 each)	5,400.00
Books—Book Binding, Supplies.	1,500.00
	<hr/>
	\$ 8,700.00
Sheriff's Office:	
Sheriff	\$ 4,500.00
Expenses for Sheriff—Travel, etc.	1,500.00
Clerical Help for Sheriff	2,700.00
Deputy Sheriffs (Four @ \$300- .00 per month)	14,400.00
Expenses — Deputy Sheriffs (\$100.00 each per month)	4,800.00

Law Enforcement Fund (to be expended by Sheriff)	800.00	
Payment on Radios	1,041.15	
Deputy Sheriff and Jailer (Jailer to act as Radio Dispatcher at night)	2,400.00	
Uniforms for Deputies	700.00	
Service and Repairs on Radios ..	200.00	
		<hr/>
		\$ 33,041.15
County Treasurer's Office:		
Treasurer	\$ 1,200.00	
Clerk Hire to Treasurer	2,700.00	
Supplies for Office	100.00	
		<hr/>
		\$ 4,000.00
Auditor's Office:		
Auditor	\$ 1,200.00	
Clerk Hire to Auditor	2,400.00	
Supplies for Office	100.00	
		<hr/>
		\$ 3,700.00
Tax Collector's Office:		
Tax Collector	\$ 3,600.00	
Expenses—Travel, etc., for Collector	400.00	
(All fees, except mileage, to be paid to the Treasurer)		
Clerk to Tax Collector	1,980.00	
		<hr/>
		\$ 5,980.00
County Attorney	\$ 1,200.00	
		<hr/>
		\$ 1,200.00
Coroner's Office:		
Coroner	\$ 600.00	
Expenses, Travel, etc.	300.00	
		<hr/>
		\$ 900.00

Master in Equity's Office:

Master in Equity\$ 1,200.00

Clerk—Part time to Master 900.00

(All fees to be retained by Master)

\$ 2,100.00

Janitor—Courthouse\$ 1,500.00

\$ 1,500.00

Road Supervisor's Office:

Road Supervisor\$ 4,800.00

Expenses, Travel, etc. 600.00

\$ 5,400.00

Judge of Probate's Office:

Judge of Probate\$ 2,000.00

(All fees to be retained by Judge
of Probate)

Clerk to Judge of Probate 1,200.00

\$ 3,200.00

Board of Directors:

Chairman, Board of Directors ..\$ 2,400.00

Expenses—Chairman 600.00

Four Directors @ \$720.00 each.. 2,880.00

Clerk to Board of Directors 1,800.00

\$ 7,680.00Clerk to Health Nurse at Summer-
ville\$ 1,800.00

\$ 1,800.00

Magistrates and Constables:

Magistrate at St. George\$ 1,500.00

Constable at St. George 1,500.00

Magistrate at Reevesville 600.00

Constable at Reevesville 600.00

Magistrate at Harleyville 600.00

Constable at Harleyville 600.00

Magistrate at Ridgeville 600.00

Constable at Ridgeville	600.00	
Magistrate at Summerville	1,500.00	
Constable at Summerville	1,500.00	
Assistance to Solicitor of First Judicial Circuit	250.00	
		<hr/>
		\$ 9,850.00
		<hr/>
Total Item 2		\$ 89,051.15
Item 3. County Boards:		
A. Board of Education—Seven Members	\$ 2,100.00	
		<hr/>
		\$ 2,100.00
B. Board of Registration—Three Members @ \$500.00 each ...	1,500.00	
Clerk to Board	500.00	
(Members and Clerk to re- ceive \$100.00 per month from Jan. 20, 1962 to June 20, 1962)		
		<hr/>
		\$ 2,000.00
C. Board of Assessors	\$ 2,500.00	
		<hr/>
		\$ 2,500.00
D. Board of Health	\$ 5,000.00	
(The above amount to be ex- pended if so much be necessary by the Board of Health for Rent, Utilities, Biologicals, etc., upon the written approval of the Dor- chester County Legislative Dele- gation)		
		<hr/>
		\$ 5,000.00
E. Forfeited Land Commission —Three Members	\$ 1,800.00	
		<hr/>
		\$ 1,800.00
		<hr/>
Total Item 3		\$ 13,400.00

Item 4. Dieting of Prisoners at Jail @		
\$1.50 per day	\$ 8,500.00	
Supplies for Jail	500.00	
	<hr/>	\$ 9,000.00
Total Item 4		<hr/> \$ 9,000.00
Item 5. Jurors and Witnesses	\$ 2,400.00	
<i>Provided</i> , that all Jurors be paid		
\$5.00 per day for attendance at		
Court, and each witness be paid		
\$3.00 per day for the same.		
	<hr/>	\$ 2,400.00
Total Item 5		<hr/> \$ 2,400.00
Item 6. Charities:		
Dorchester County Hospital	\$ 35,000.00	
	<hr/>	\$ 35,000.00
Total Item 6		<hr/> \$ 35,000.00
Item 7. Post Mortems and Lunacies ...	\$ 1,000.00	
Pauper Burials	1,000.00	
	<hr/>	\$ 2,000.00
Total Item 7		<hr/> \$ 2,000.00
Item 8. Charges for Water, Lights, Fuel,		
Insurance for Courthouse, Jail		
and County Buildings	\$ 3,200.00	
	<hr/>	\$ 3,200.00
Total Item 8		<hr/> \$ 3,200.00
Item 9. Printing, Postage and Station-		
ery	\$ 3,000.00	
(This amount to be paid by Board		
of Directors upon claims presented		

for above items for all county
officials)

\$ 3,000.00

Total Item 9 \$ 3,000.00

Item 10. Miscellaneous:

A. Bond Premiums for County Officials	\$ 750.00
B. Expenses—Probation Officer	300.00
B-1. Expenses—School Lunch Supervisor	300.00
B-2. Expenses — Director, Department of Public Welfare	600.00
B-3. Expenses — Visitors, Department of Public Welfare (Three @ \$600.00 each)	1,800.00
B-4. Expenses—Board Members of the Department of Public Welfare	900.00
B-5. Expenses—County Service Officer	600.00
B-5(A) Clerk to Service Officer ..	1,200.00
B-6. Telephones—Courthouse, Jail and Department of Public Welfare (Including long distance messages in official capacity only)	1,000.00
B-7. Medical attention to prisoners	500.00
B-8. Registrars of Vital Statistics ..	650.00
C. Office Rent for County Agents	720.00
C-1. Office Rent, Heat, Lights, etc., for Department of Public Welfare	1,080.00
C-2. Office Rent — Superintendent of Education	240.00
C-3. Rent—School Lunch Warehouse	300.00
C-4. Rent — Magistrate's Office—Summerville	300.00

D.	Emergency Relief — Department of Public Welfare	1,500.00
D-1.	Supplies—Department of Public Welfare	50.00
E.	County Agents—4-H Club Work	200.00
F.	Negro Home Demonstration Agent—Salary and Travel	720.00
G.	Negro Boys' 4-H Club Work	50.00
G-1.	Negro Girls' 4-H Club Work	50.00
G-2.	Negro Agent's Office Rent	360.00
G-3.	Clerk—Half time Negro Agent and Home Demonstration Agent	600.00
H.	Supplies for Negro Home Demonstration Agent	50.00
H-1.	Supplies for Home Demonstration Agent	75.00
H-2.	Women's Home Demonstration Work	50.00
I.	Home Demonstration Agent—Salary Supplement	240.00
I-1.	County Agent—Salary Supplement	500.00
J.	Clerk to County and Home Demonstration Agent	960.00
K.	Vocational Agriculture Program	850.00
L.	Dorchester County T.B. Association	1,600.00
M.	Salary—St. George Librarian	600.00
N.	Harleyville - Ridgeville Public Libraries	100.00
O.	Timrod Library and Library Association	2,000.00
P.	Assistant Librarian — Ridgeville	300.00
Q.	National Guard Company—Maintenance	1,500.00
Q-1.	Auditing of County Books	1,500.00

R. Social Security—Employees	3,800.00	
R-1. Premiums—S. C. Industrial Commission	2,240.00	
R-2. Contributions—S. C. Retirement System	3,800.00	
	<hr/>	
Total Item 10		\$ 34,935.00
Item 11. A. Law Enforcement — Harley- ville	\$ 1,800.00	
B. Law Enforcement—Ridgeville	600.00	
C. Law Enforcement — Reeves- ville	300.00	
	<hr/>	
		\$ 2,700.00
		<hr/>
Total Item 11		\$ 2,700.00
Item 12. Dorchester County Circulating Library	\$ 6,100.00	
(The above amount to be expended by the County Board of Directors upon the written approval of the Dorchester County Legislative Delegation)		
	<hr/>	
		\$ 6,100.00
		<hr/>
Total Item 12		\$ 6,100.00
Item 13. To Summerville Commissioners of Public Works for installation of water main at Dorchester County Hospital	\$ 2,000.00	
A. To Dorchester Soil Conservation District	1,000.00	
(To be expended upon written approval of Dorchester County Legislative Delegation)		
	<hr/>	
		\$ 3,000.00
		<hr/>
Total Item 13		\$ 3,000.00

Item 14. For Industrial and Development Purposes to be used in conjunction with Charleston and Berkeley Counties	\$ 2,000.00	
(To be expended on the written authorization of the Dorchester County Legislative Delegation)		
		<hr/>
		\$ 2,000.00
		<hr/>
Total Item 14		\$ 2,000.00
Item 15. Contingent Fund	\$ 5,000.00	
(The above amount is appropriated to meet unforeseen emergencies in the operation of County Government and shall be expended upon the written authorization of the Legislative Delegation of Dorchester County.)		
		<hr/>
		\$ 5,000.00
		<hr/>
Total Item 15		\$ 5,000.00
		<hr/>
GRAND TOTAL		\$262,786.15
LESS ESTIMATED REVENUE FROM OUTSIDE SOURCES:		
Gasoline Tax	\$ 93,778.43	
Fines	18,678.69	
Insurance License Fees	10,336.25	
Income Tax	21,590.06	
Wine and Beer Tax	4,986.67	
Bank Tax	918.22	
Delinquent Taxes and Costs ...	11,360.73	
Liquor Tax	18,664.18	
Service Officer	4,875.00	
Miscellaneous	872.79	
		<hr/>
Total Estimated Revenue		\$186,061.02
		<hr/>
AMOUNT TO BE RAISED BY TAXATION		\$ 76,725.13

Item 16. Bonded Indebtedness:

- (1) The necessary amounts are hereby appropriated to meet the payment of principal and interest maturing during the fiscal year, beginning July 1, 1961, and ending June 30, 1962, on all bond issues and other indebtedness now outstanding against the County of Dorchester.
- (2) The County Treasurer is hereby empowered to borrow for county purposes during the fiscal year, beginning July 1, 1961, and ending June 30, 1962, to the extent of the tax levy and other income or revenue of the county, if so much be necessary, upon his note or notes, and is empowered to pledge as security for such money borrowed, and interest thereon, the taxes of the year 1961, together with any other income or revenue of the county for the fiscal year 1961-1962.
- (3) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for Road Work Commutation Tax.
- (4) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning January 1, 1961, and ending June 30, 1961, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

SECTION 2. In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County, the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointments by the Senator and the Member of the House of Representatives of Dorchester County.

SECTION 3. Upon the written approval of the Legislative Delegation of Dorchester County, the trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating expenses of the schools for the 1961-1962 school year, and to pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon the school districts for general operating expenses for the school year 1961-1962.

SECTION 4. All bills presented to the County Board of Directors of the county shall be itemized.

SECTION 5. The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

SECTION 6. Appropriations for State Aid for Teachers' salaries, and all other school districts, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 7. Notwithstanding any provisions of any act to the contrary, all persons sentenced to the Public Works of Dorchester County shall be subject to the sole jurisdiction of the Road Supervisor of Dorchester County and subject to his orders, care and keeping.

SECTION 8. It shall be the further duty of the Road Supervisor to see that the grounds of the Courthouse and Dorchester County Hospital shall be cleaned at least once each month.

SECTION 9. All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

An Act To Authorize The County Board Of Directors Of Dorchester County To Remodel The Existing County Courthouse Into a County Office Building, Add Thereto, If Necessary, And To Construct A New Courthouse Building, And To Finance The Same By The Issuance Of Not Exceeding Three Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Dorchester County; To Prescribe The Conditions Under Which The Bonds May Be Issued And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that the County Board of Directors of Dorchester County, which is the administrative agency upon which is devolved the principal governmental functions relating to the administration of county affairs in Dorchester County (herein called the "Board"), has conducted a survey of the sufficiency of the present courthouse and the needs of Dorchester County for suitable office space in which to house county officials, and that it has recommended that the existing courthouse be remodelled into an office building and added to, if necessary, and that a new courthouse be constructed on a site next adjacent to the present courthouse and that both be suitably equipped. The survey so made has established that the cost of such project will involve an expenditure by Dorchester County of not less than three hundred seventy-five thousand dollars, and the General Assembly, after due consideration of the problem, has determined to authorize the undertaking and to empower the Board to issue not exceeding three hundred seventy-five thousand dollars of general obligation bonds of Dorchester County to defray the cost of the project which it now authorizes the Board to undertake.

SECTION 2. Dorchester County may convert courthouse into office building and construct new courthouse.—The General Assembly expressly authorizes the Board to effect the remodelling of the existing county courthouse into an office building and add thereto, if necessary, and the construction of a new courthouse building on the site next adjacent thereto, and upon the completion of the remodelling and construction, to provide suitable equipment for both buildings. Such undertaking shall be effected at a cost of not exceeding three hundred seventy-five thousand dollars, and prior to the issuance of the bonds authorized by this act, an appropriate finding shall be made by the Board to establish that the project here authorized can be satisfactorily carried out at a cost of not exceeding three hundred seventy-five thousand dollars.

SECTION 3. Bond issue authorized.—In order to provide the funds required for the project authorized to be undertaken by this act, the Board is hereby authorized to issue general obligation bonds of Dorchester County in the aggregate principal amount of not exceeding three hundred seventy-five thousand dollars.

The action to be taken by the Board in effecting the issuance of the bonds authorized by this act may be taken at a special or regular meeting and may be in the form of a Resolution which shall become effective immediately upon its adoption, but no action shall be taken to authorize the issuance of the bonds unless the Board shall determine that the project herein authorized can be satisfactorily completed at a cost to Dorchester County of not exceeding three hundred seventy-five thousand dollars.

SECTION 4. Maturity.—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues. They shall mature in such series or instalments as the Board shall from time to time determine. The first bonds of each issue shall mature not later than two years from the date as of which they shall be issued, and the last maturing bonds of each issue shall mature not later than twenty years from the date as of which they shall be issued.

SECTION 5. Redemption—interest.—Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the Board. They shall bear such rates of interest as the Board shall determine, payable semiannually. They shall bear such date and be payable at such places as the Board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Dorchester County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

SECTION 6. Execution.—The bonds shall be executed, and the coupons authenticated, in such manner as the Board shall by Resolution prescribe.

SECTION 7. Sale.—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State.

SECTION 8. Proceeds.—The proceeds derived from the sale of the bonds issued pursuant to this act shall be deposited with the Treasurer of Dorchester County in a special fund, separate and distinct from all

other funds, and shall be expended, upon the order or warrant of the Board, as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds;

(c) The remaining proceeds shall be used to defray the costs of issuing the bonds authorized hereby, and for the remodelling of the existing county courthouse into an office building and add thereto, if necessary, and the construction of a new courthouse building on the site next adjacent thereto, and upon the completion of the remodelling and construction, for providing suitable equipment for both buildings; and

(d) If any balance remain, the same shall be used to effect the retirement of the bonds authorized hereby.

No purchaser or subsequent holder of any of the bonds issued pursuant to this act shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 9. Payment.—The full faith, credit and taxing power of Dorchester County shall be pledged for the payment of the bonds and interest, and the Auditor and Treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 10. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

An Act To Authorize The Board Of Trustees Of School District No. 1 Of Dorchester County To Issue Not Exceeding Ninety-Five Thousand Dollars Of General Obligation Bonds Of The

School District For School Improvement Purposes; to Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended; And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. General Assembly finds Dorchester County needs new school and cafeteria.—The General Assembly finds that the existing grammar school building in School District No. 1 of Dorchester County has been condemned as unsafe and that an urgent need exists for a new grammar school building and cafeteria. It has, therefore, determined to authorize the board of trustees to construct and equip adequate facilities to care for this need and to raise therefor the sum of ninety-five thousand dollars through the sale of the bonds authorized by this act.

SECTION 2. Bond issue authorized.—The Board of Trustees of School District No. 1 of Dorchester County (hereinafter called the "trustees"), is hereby authorized to issue general obligation bonds of School District No. 1 of Dorchester County in the aggregate principal amount of not exceeding ninety-five thousand dollars, and to apply the proceeds of such bonds to the purposes prescribed by this act.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the trustees shall provide for, except that the first maturing bonds of any issue shall mature not later than two years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be

issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dorchester County, upon such conditions as the trustees may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the trustees shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the trustees.

SECTION 8. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the trustees shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina, which published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 1 of Dorchester County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal of and interest on such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dorchester County, to be deposited in a Bond Account Fund for the

school district, and shall be expended and made use of by the trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the constructing and equipping of the school facilities contemplated by this act.

(d) If any balance remain, the same shall be held by the Treasurer of Dorchester County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Power of trustees.—The powers and authorizations hereby conferred upon the trustees shall be in addition to all other powers and authorizations previously vested in the trustees, and may be exercised by action taken at regular or special meetings.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R402, H1755)

No. 536

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Dorchester County And The Treasurer Of The County To Borrow Not Exceeding Forty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dorchester County School District 2 may borrow money.—The Board of Trustees of School District No. 2 of Dorchester County and the Treasurer of Dorchester County are hereby authorized to borrow for school purposes not exceeding forty thousand dollars from the Division of Sinking Funds and Property

or other sources. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees of School District No. 2 of Dorchester County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Dorchester County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should the money be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

tion Of Its Directors And To Define Their Powers And Duties; And To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaverdam Creek Watershed Conservation District may be formed in Edgefield County.—Authority is hereby granted to form the Beaverdam Creek Watershed Conservation District in Edgefield County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Beaverdam Creek and shall not extend across S. C. Highway No. 51. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the soil conservation district within the proposed conservation district. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearing on petition.—(a) Within thirty days after the petition has been filed with the board of supervisors of the soil conservation district, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that

other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the soil conservation district determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the soil conservation district determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum.—After the board of supervisors has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate

area or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Edgefield County.

SECTION 6. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Beaverdam Creek Watershed Conservation District”

“Against the creation of the Beaverdam Creek Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by such board, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors.

SECTION 7. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of supervisors. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner

hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Edgefield County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental subdivision of this State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 8. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the soil conservation district in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the di-

rectors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors shall, under the supervision of the board of supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties.

—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights of way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property

or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the soil conservation district, by notifying the county auditor.

SECTION 10. Bonds not to be issued unless referendum held.

—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the soil conservation district.

(b) The board of supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing

a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the soil conservation district.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Edgefield County.

SECTION 13. List of landowners and acres subject to assessment.—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the soil conservation district.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the board of supervisors of the soil conservation districts to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Edgefield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Beaverdam Creek Watershed Conservation District"

and "Against terminating the existence of the Beaverdam Creek Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Edgefield County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if district discontinued.—

If any soil conservation district in which any part of a watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such soil

conservation district shall thereafter be exercised by the governing body of Edgefield County.

SECTION 19. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R616, H1858)

No. 538

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1961; To Provide For The Expenditure Thereof; And To Provide Tax Exemptions For Certain Manufacturing Establishments In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1961 and ending June 30, 1962 :

- | | |
|---|--------------|
| Item 1. Maintenance of chain gang, bridges, roads and buildings | \$ 37,000.00 |
| Item 2. Clerk of Court's Office: | |
| (a) Clerk of Court's Salary | \$ 1,440.00 |
| (b) Deputy Clerk of Court's Salary | 2,340.00 |
| Item 3. Sheriff's Department: | |
| (a) Sheriff's Salary | \$ 4,020.00 |
| (b) Clerical help for Sheriff | 2,100.00 |
| (c) Two Deputy Sheriffs at \$3,420.00 each | 6,840.00 |
| (d) Uniforms for Deputy Sheriffs | 400.00 |
| (e) Maintenance and automobile expenses, radio repairs and upkeep for Sheriff's Department, if so much be necessary | 3,000.00 |
| <i>Provided, the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.</i> | |
| Item 4. Auditor (County's part): | |
| (a) Auditor's Salary | \$ 1,200.00 |
| (b) Clerical help for Auditor | 2,340.00 |

Item 5. Treasurer (County's part) :	
(a) Treasurer's Salary	\$ 1,200.00
(b) Clerical help for Treasurer	2,340.00
Item 6. Supervisor's Office :	
(a) Supervisor's Salary	\$ 3,432.00
(b) Clerk to Board of County Commissioners	2,340.00
(c) Two County Commissioners at \$504.00 each ...	1,008.00
Item 7. Attorney, Salary	\$ 720.00
<i>Provided</i> , the County Attorney shall represent the County and any of its subdivisions in all matters without additional compensation.	
Item 8. Tax Collector, Salary	\$ 2,880.00
Travel Expense for Tax Collector	420.00
Clerical help to Tax Collector	600.00
Item 9. Coroner, Salary	\$ 720.00
Item 10. Judge of Probate's Office :	
(a) Judge of Probate's Salary	\$ 1,440.00
(b) Clerical help for Judge of Probate	2,340.00
Item 11. Magistrates :	
(a) Magistrate of First District	\$ 2,040.00
(b) Magistrate of Second District—Trenton	660.00
(c) Magistrate of Third District—Johnston	1,080.00
(d) Magistrate of Fourth District	300.00
(e) Magistrate of Fifth District	600.00
<i>Provided</i> , that no magistrate in Edgefield County shall receive his salary, unless and until, he shall have filed a statement with the County Treasurer showing all cases handled and the disposition thereof.	
Item 12. Janitors :	
(a) Janitor for Courthouse	\$ 1,200.00
(b) Janitors for Agricultural and Health Center Buildings	1,188.00
Item 13. Jurors and Witnesses	\$ 4,000.00
Item 14. Post Mortems, Inquests and Lunacy	\$ 600.00
Item 15. Telephone and Telegraph	\$ 2,000.00
Item 16. Printing, Postage and Stationery	\$ 2,500.00
Item 17. Burial of County Poor	\$ 100.00
Item 18. Premiums on bonds for County Officers	\$ 1,000.00

Item 19.	Water, Heat, Lights and Fuel for County Buildings, including heat for the two National Guard Armories	\$ 4,500.00
Item 20.	Welfare Department:	
(a)	Department of Public Welfare Board Members	\$ 324.00
(b)	For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County	500.00
(c)	Department of Public Welfare for emergency purposes	300.00
Item 21.	Dieting of prisoners in County Jail	\$ 2,000.00
Item 22.	Boys' 4-H Club Work	\$ 100.00
Item 23.	Girls' 4-H Club Work	\$ 100.00
Item 24.	Farm Agent's Office:	
(a)	Contingent Fund, for Farm Agent	\$ 100.00
(b)	Demonstration Supplies for County Home Agent	100.00
Item 25.	County Service Officer:	
(a)	County Service Officer's Salary	\$ 4,200.00
Item 26.	Jailer, Salary	\$ 840.00
Item 27.	National Guard:	
(a)	Johnston National Guard	\$ 600.00
(b)	Edgefield National Guard	600.00
Item 28.	Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund	\$ 3,000.00
Item 29.	Social Security on County employees (County's part)	\$ 1,800.00
Item 30.	Retirement on County employees (County's part)	\$ 2,100.00
Item 31.	Publishing County statements in both County newspapers	\$ 480.00
Item 32.	Repairing and maintaining County machines in various County offices	\$ 300.00
Item 33.	Office equipment, office supplies, box rents and miscellaneous expenses	\$ 2,000.00
Item 34.	Civil Defense	\$ 2,100.00
Item 35.	(a) County Health Department (County's part)	\$ 4,500.00
(b)	Hospital Charity Fund	3,500.00
Item 36.	Contingent Fund	\$ 10,000.00
	To be expended upon written approval of the Legislative Delegation	

Item 37. Auditing the county affairs, 1961-1962	\$ 500.00
Item 38. Superintendent of Education, travel expense ...	\$ 1,200.00
Item 39. County Board of Tax Assessors	\$ 1,000.00
Item 40. Farm Agents Office:	
(a) County Agent, Travel Expense	\$ 600.00
(b) Home Demonstration Agent, Travel Expense ..	240.00
Item 41. Edgefield Dairy Breeders Association	\$ 900.00
<hr/>	
GRAND TOTAL	\$145,872.00

SECTION 2. The board of county commissioners is hereby authorized to divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1961-1962.

SECTION 3. The jailor of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

SECTION 4. The court crier, jurors, jury boy and bailiffs shall receive seven dollars per day for each day's service in attendance upon court.

SECTION 5. In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services, he shall be entitled to the fees allowed him by law for issuing marriage licenses.

SECTION 6. No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobile are to be used exclusively for county purposes.

SECTION 7. All payments herein provided for shall be made direct to the person receiving same.

SECTION 8. No telephone shall be maintained by the county except with the written approval of the county clerk of court and all long distance calls charged to county phones must be itemized and presented to the county supervisor's office before bill will be paid.

SECTION 9. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county clerk of

court who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

SECTION 10. No office equipment, furniture and fixtures shall be bought except upon the written approval of the county delegation.

SECTION 11. No property shall be rented for the use of the county, or any department thereof except with the written permission of the county supervisor and at least one commissioner.

SECTION 12. All purchases for gang, roads, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided*, that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners.

SECTION 13. No tractors, trucks, scrapes, wagons, scoops or any kind of road machinery can be purchased with county funds or sold without the written consent of the county legislative delegation.

SECTION 14. The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the Clerk of Court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided*, that Edgefield County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1952.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents,

and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words.

SECTION 15. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein, *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 16. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation.

SECTION 17. In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds or any other fund, such sum or sums as in the opinion of the legislative delegation may be in the best interest of the county.

SECTION 18. All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

SECTION 19. Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's office shall be set up by having a separate and distinct page for each item and account contained herein.

SECTION 20. The miscellaneous account herein set up shall be spent only upon the written approval of the County Legislative Delegation.

SECTION 21. The allotment of office space in the courthouse to the various officers and departments shall be made by the clerk of court who shall have complete charge of the courthouse.

SECTION 22. All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer or may hereafter come into the hands of the treasurer shall be placed in the general funds of the county.

SECTION 23. All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152, Code of Laws of South Carolina, 1952.

SECTION 24. All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

SECTION 25. No county-owned automobile or truck shall be used for any purpose other than county business.

SECTION 26. County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain open from eight to four o'clock Monday through Friday of each week, and on Saturday shall remain open from eight to twelve o'clock.

SECTION 27. Any new manufacturing establishment located in Edgefield County that manufactures metal cabinets, and other items, meeting the qualifications set forth in Section 65-1552 of the Code of Laws of South Carolina, 1952, shall be entitled to the tax exemption provided for in that section.

SECTION 28. All acts or parts of acts inconsistent herewith are repealed.

SECTION 29. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Appropriate The Sum Of Two Thousand Dollars From The General Fund Of Fairfield County For Use In Establishing A County Civil Defense Organization.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fairfield County appropriation for civil defense.

—There is hereby appropriated the sum of two thousand dollars from the General Fund of Fairfield County for use in establishing a County Civil Defense Organization.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R180, H1483)

No. 540

An Act To Authorize A Transfer Of Not Exceeding Forty Thousand Dollars From The Insurance Fund To The General Fund Of Fairfield County When Authorized In Writing By The Legislative Delegation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fairfield County to transfer funds.—The Treasurer of Fairfield County is hereby authorized to transfer not exceeding the sum of forty thousand dollars from the Insurance Fund to the General Fund of Fairfield County when directed to do so in writing by the County Legislative Delegation.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1961.

(R422, H1809)

No. 541

An Act To Authorize The Board Of Education And The Treasurer Of Fairfield County To Borrow Sixty-Five Thousand Dol-

lars For School Purposes And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the school facilities in Fairfield County for the education of Negro students is congested and overcrowded and that additional buildings and equipment are needed. Because of this existing overcrowded condition, the General Assembly finds it necessary to authorize the borrowing of needed funds for the purpose of erecting and equipping additional school rooms for the Negro students of Fairfield County.

SECTION 2. Fairfield County may borrow money for schools.—The Board of Education and the Treasurer of Fairfield County are hereby authorized to borrow for school purposes not exceeding sixty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Education and the Treasurer of Fairfield County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in two successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 3. Payment.—For the payment of the note or notes, the Auditor of Fairfield County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 4. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and

shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R426, H1819)

No. 542

An Act To Authorize The Fairfield County Board Of Education To Convey The Mt. Zion Elementary School Building To Fairfield County To Be Used As A County Office Building.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mt. Zion Elementary School Building may be conveyed to Fairfield County.—The Fairfield County Board of Education is hereby authorized to convey, upon such terms and conditions as may be agreed upon, the now vacant Mt. Zion Elementary School Building to Fairfield County to be used as a county office building. *Provided*, that the County Welfare Agency shall not occupy the building; that the Mt. Zion Society shall have one room on the first floor reserved for its use; that any expenses or renovations of the building shall be paid from county funds; and that the County Board of Education shall in no way be involved with such expenses or renovations.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R631, H1904)

No. 543

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Chain Gang For

**Fairfield County For The Fiscal Year Beginning July 1, 1961,
And Ending June 30, 1962, And For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of twelve mills, if so much be necessary, is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1961, and ending June 30, 1962, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

SECTION 1-A. The auditor is directed to levy and the treasurer to collect a tax of one mill on all taxable property in the County of Fairfield to be credited to the Fairfield Memorial Hospital operating fund. This to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges:\$ 68,000.00

Provided, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding \$400.00 shall be advertised in the newspaper published in the county.

Provided, however, in cases of emergency where repair parts are necessary to restore county-owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids. *Provided*, further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. That under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

Provided, further, that all county road machinery and county trucks and motor vehicles shall be plainly marked with letters of substantial size on

both sides of the vehicles as follows: "Property of Fairfield County."

Provided, further, that no more than one-half the above amount may be expended or obligated to be spent prior to January 1, 1962.

Item 2. Salaries:

Clerk of Court\$ 1,850.00

For use by clerk of court in keeping courthouse yards and grounds 50.00

The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the supervisor for labor and assistance in this work when deemed necessary.

Clerk hire for Court 600.00

Sheriff 4,600.00

Provided, that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall perform these duties under the direction of the Sheriff.

Jailers 4,000.00

Provided, the sheriff shall designate the number of jailers, their hours and compensation.

Uniforms for Jailer (1/12 monthly) 150.00

Provided, that the insignia of the office shall be affixed upon such uniforms.

Provided, further, that the jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.

Provided, further, that the jailer shall furnish the usual surety bond required of other county police officers.

Provided, that the jailer shall be a person qualified to operate the station radio and keep ad-

equate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.

Clerk to Sheriff 2,500.00

Provided, that the clerk shall operate the base radio in conjunction with the jailer during office hours, in addition to his other duties.

Provided, the clerk to the sheriff is hereby charged with the duties as caretaker of the courthouse and shall be furnished two prisoners to assist him in this work; *provided*, that the janitor of the courthouse may also be designated as janitor of the County Library Building.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than \$40.00 per week 5,100.00

Travel for Tax Collector 800.00

Clerk to Clerk of Court 2,650.00

Clerk to Judge of Probate 825.00

Deputy Sheriffs, 3 @ \$3,600.00 each 10,800.00

Provided, that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mill Village community, and such deputy shall be assigned a county-owned police car.

Rural Police, 2 @ \$3,600.00 each 7,200.00

Uniforms for Deputies and Rural Police, same to be purchased by Rural Police Commission, not to exceed 900.00

Auditor—to receive a portion of his salary from State Funds 1,270.00

Travel for Auditor 250.00

Auditor—Clerk Hire 2,650.00

Provided, clerk to Auditor shall be full time.

Treasurer—to receive a portion of his salary from State funds 1,270.00

Travel for Treasurer 250.00

Clerk to Treasurer	2,000.00
Attorney	550.00
Coroner	1,100.00
Travel for Coroner	150.00
Supervisor	3,250.00
Clerk—Board of County Commissioners	3,000.00
Travel expenses for clerk to Board of County Commissioners	300.00
Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance	660.00
Stenographer to County Agent	500.00
Stenographer to Home Demonstration Agent ..	70.00
Judge of Probate	1,650.00
Secretary to Delegation	550.00
County Forest Ranger—Fire Protection—three months' salary for Tractor operator	450.00
Item 3. Expenses of County Officers:	
Supervisor's car and travel expense	\$ 1,350.00
The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.	
County Board of Commissioners	2,520.00
Travel for Board of Commissioners—\$5.00 per month	300.00
<i>Provided</i> , that the Chairman of the Board of Commissioners shall receive six hundred dollars per year, and each commissioner four hundred eighty dollars per year.	
Item 4. Insurance Fund	\$ 4,000.00
The above amount shall be appropriated from the general fund of Fairfield County and transferred to an account designated as "Insurance Fund" to be held by the county treasurer. The county treasurer is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in se-	

curities which are approved under the law of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fairfield County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County-controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the county attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County-owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

Provided, further, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money is needed.

Item 5.	County Health Unit	\$ 5,200.00
	<i>Provided</i> , that \$500.00 of this amount will be used for the purpose of treating arrested T.B. patients.	
Item 6.	Magistrates	\$ 6,600.00
	Eight Constables for Magistrates—\$200.00 each	1,600.00
	Extra Constables for work with sheriff's office at his request	1,000.00
Item 7.	County Boards:	
	Board of Equalization	\$ 700.00
Item 8.	Jail Expenses	\$ 4,000.00
Item 9.	Jurors and Witnesses and Court Expenses	\$ 4,500.00
	Court Crier shall receive \$7.00 per day.	

- Item 10. Post Mortems, Inquests and Lunacies\$ 700.00
Provided, that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in the judgment of the coroner an inquest is justified or needed.
Provided, that coroner's jurors shall receive \$1-.00 per day.
- Item 11. Public buildings, including water, fuel, lights and insurance\$ 13,500.00
 Workmen's Compensation premium shall be paid from this appropriation.
- Item 12. Printing, Postage and Stationery\$ 3,500.00
Provided, printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds. *Provided*, that up to \$500.00 of this amount shall be used by the clerk of court to repair indexes to deeds and real estate mortgages.
- Item 13. Farm and Home Demonstration\$ 500.00
 County 4-H Club Work 200.00
 County Farm Demonstration and 4-H Club Work (colored) 300.00
- Item 14. Home Demonstration Work (colored)\$ 500.00
- Item 15. Fingerprinting and Law Enforcement\$ 50.00
- Item 16. Janitor for courthouse\$ 900.00
 The janitor shall be hired by and shall be under the supervision and control of the clerk to the sheriff (caretaker of the courthouse).
- Item 17. Janitor for County Library\$ 300.00
- Item 18. Future Farmers of America, Livestock Show ..\$ 350.00
- Item 19. Armory maintenance\$ 625.00
- Item 20. For supplies and maintenance of county-owned vehicles used in law enforcement\$ 5,000.00
Provided, the above sum shall be paid upon approval of the sheriff. The County Rural Police Commission shall secure bids by public notice and shall be responsible for purchasing such supplies and equipment.

Item 21. Board of Public Welfare	\$ 1,000.00
<i>Provided</i> , that this sum shall be paid to the Director of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out-of-county hospitalization and medicines and paupers' burial.	
Item 21-A. The County Board of Public Welfare is hereby authorized and directed to expend the following appropriation for supplemental salaries for the director and employees of the Welfare Department	\$ 2,000.00
Item 21-B. Members of the Board of Public Welfare for Fairfield County shall receive \$5.00 per meeting for each meeting attended	\$ 200.00
Item 22. Rural Police Commission	\$ 75.00
<i>Provided</i> , that each commissioner who shall attend a regular meeting of the commission, or a special meeting of the commission, shall receive \$5.00 for such attendance. The appropriation set forth above shall be solely for the \$5.00 attendance and paid only to those members in attendance at such meeting.	
Item 23. Magistrate Jurors (\$1.00 per day)	200.00
Item 24. Fairfield Chamber of Commerce	\$ 1,500.00
<i>Provided</i> , the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and development of the county.	
Item 30. Service Officer's Office	
\$3,900.00 of the appropriation hereinbelow provided for shall be paid by the State and the remainder from County Funds.	
Service Office—Salary	\$ 2,650.00
Mileage	1,000.00
Clerk to Service Officer	1,925.00
<hr/>	
Total for Office	\$ 5,575.00
The expenses of this office, other than travel and salaries, shall be paid out of Item 11.	
Appropriation from County Funds for above ..	\$ 1,675.00

Item 31.	Hospitalization Insurance—County employees	.\$	4,000.00
Item 32.	County Agent, Salary Supplement	.....\$	150.00
	Assistant County Agent, Salary Supplement	...	150.00
Item 33.	For costs and investigations to encourage new industry for the county, to be expended upon the approval of the entire delegation	.....\$	1,000.00
Item 34.	Civil Defense Office		
	\$2,000.00 of the appropriation hereinbelow provided shall be paid by the State and the remainder from county funds.		
	Civil Defense Officer—Salary	.....\$	3,000.00
	Secretarial help and office supplies	.....	700.00
	Office rent	.....	300.00
	Total	.....\$	4,000.00
	Appropriation from County Funds for above	..\$	2,000.00
	TOTAL	.....	\$202,090.00

SECTION 1-B. A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1961, and ending June 30, 1962, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of bonded debt.

SECTION 2. So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriations Act for Health Department work. This fund shall be expended under the following provisions: *Provided*, that the physician to be employed shall be a graduate of a regular medical college and skilled in hygiene and sanitary science, the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided*, however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physi-

cian in charge and that all trustees and principals shall give every assistance in carrying out this program; *provided*, further, that this appropriation is contingent upon the full compliance with this section.

SECTION 3. The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1961, and ending June 30, 1962, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, twelve hundred and one thousand dollars, respectively, per year;

Magistrates at Ridgeway, Mitford, Jenkinsville and Greenbrier, eight hundred dollars;

Magistrates at Feasterville and Jackson Creek, six hundred dollars each.

SECTION 4. All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

SECTION 5. The Sheriff of Fairfield County shall receive not exceeding one dollar and ten cents each per day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail.

Provided, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

SECTION 6. All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1961-1962, and monies in the hands of the treasurer received by the collection of tax executions during the year 1961-1962 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1961, by reason of unexpended balance of appropriations for the period ending June 30, 1961, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided*, however, in the event there is an absence of either the Senator or the House Member, then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held during each calendar month.

SECTION 7. The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part

of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

SECTION 8. The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

SECTION 9. In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

SECTION 10. The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

SECTION 11. All orders or warrants upon the county terasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

SECTION 12. There is hereby levied a tax of one mill upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the treasurer to collect, such tax, in like manner as other taxes are collected.

SECTION 13. The county board of commissioners, out of the appropriations for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

SECTION 14. The Treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriations Act into the general fund, and is further directed to place any such taxes which might hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

SECTION 15. The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; *provided*, however, that if the item to be purchased is the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

SECTION 16. Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or, on a daily basis the sum of twenty-five dollars. *Provided*, however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided*, further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortune-tellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer, who shall credit same to the general fund.

SECTION 17. The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company selected by the county board of commissioners, and approved by the county attorney, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 31.

SECTION 18. The hawkers' and peddlers' license for nonresidents, as required by law, to do business in Fairfield County shall be as follows:

Those selling, or offering for sale, furniture	\$200.00;
Those selling dry goods	150.00;
Those selling jewelry and novelties	100.00;

Those picking up laundry 25.00; and
Those picking up dry cleaning 25.00;
provided, that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be \$25.00, except ice delivery.

Provided, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first to July first after the initial application is made.

Provided, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

SECTION 19. *Provided*, that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to \$40,000.00, to be repaid within three years upon such terms and at such rate as may be best obtained.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Authorize The Trustees Of Timmons ville School District No. 4 Of Florence County To Issue And Sell Bonds Of The District In An Amount Not To Exceed The Eight Per Cent

Constitutional Limitation Imposed On The District To Be Used For School Purposes, And To Provide For The Levy And Collection Of A Tax For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Timmons ville School District 4 may issue bonds.

—The Board of Trustees of Timmons ville School District No. 4 of Florence County is hereby authorized to issue and sell general obligation bonds of the school district which shall be issued as coupon bonds in an amount not to exceed the eight per cent constitutional limitation on the district for the purpose of building, equipping, renovating or repairing school buildings in the district.

SECTION 2. Denominations—dates—interest—execution.—The bonds herein provided for shall be of such denominations and shall mature at such dates as decided upon by the Board of Trustees and shall bear interest not exceeding six per cent, payable semiannually. The bonds shall be signed by the Chairman of the Board of Trustees and the Treasurer of Florence County, but the signature of the chairman of the board lithographed or engraved upon the interest coupons attached to the bonds shall be a sufficient signing thereof.

SECTION 3. Sale—disbursements—maturity.—The bonds shall be sold at public auction to the highest bidder after bids therefor have been advertised for not less than two weeks in one or more newspapers of general circulation in Florence County, and the proceeds derived from the sale thereof shall be deposited with the Treasurer of Florence County to the credit of the school district, and shall be disbursed and paid out for the purposes herein stated, upon warrants drawn thereon signed by the members of the board of trustees. Any bonds issued pursuant to this act shall mature not more than twenty years from date.

SECTION 4. Payment.—The bonds when executed shall constitute binding obligations of the district, and the full faith, credit and taxing power of the district are hereby irrevocably pledged for the payment thereof.

SECTION 5. Payment—further.—For the purpose of paying principal and interest on the bonds as they mature, the Auditor of Florence County shall levy, and the treasurer shall collect, annually a tax on all taxable property in the district sufficient to pay the in-

stallments on the principal and interest as they become due, and the treasurer shall apply the proceeds of such tax to the payment of the bonds and interest thereon until they have been fully paid.

SECTION 6. Exempt from taxes.—The principal and interest on bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R206, H1473)

No. 545

An Act To Appropriate The Sum Of Seventy-Two Thousand Nine Hundred Twenty-Four Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1961-1962; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses, And To Prohibit Expenditures In Excess Of Such Budgets.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The sum of seventy-two thousand nine hundred twenty-four dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1961-1962, and a tax of three and one-half mills to raise that sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes:

Item I.	Textbooks	\$ 41,614.00
Item II.	Circulating Library	5,200.00
Item III.	Supplies	500.00
Item IV.	County Board Expense	1,500.00
Item V.	County Superintendent's Office	5,700.00
Item VI.	County Superintendent	3,750.00

Item VII. Caterers	11,160.00
Item VIII. Hot Lunches—Needy Cases	3,500.00
<hr/>	
Total	\$ 72,924.00

SECTION 2. In order to carry out the purposes of this act and for the operation of schools in Florence County, the Board of Education for the county is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the terms and conditions under which bids shall be received. The proceeds of any loan obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall provide the County Treasurer collateral for the same as provided by the county appropriation act.

SECTION 3. The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the Board of Education for the county for its examination and approval. No budget shall be approved by the County Board of Education in excess of the revenues provided for the operation of the schools in any such school district and no claim against any district shall be approved for payment by the County Superintendent of Education in excess of funds on the approved budget. The County Board of Education has the authority to spend for the benefit of the schools any unallocated funds or any accumulation of funds under any item of Section 1 of this act.

SECTION 4. This act is intended to be in addition to, and not in conflict with, any of the provisions of the Annual County Appropriation Act of Florence County for the fiscal year 1961-1962.

SECTION 5. All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R302, H1672)

No. 546

An Act To Repeal Section 15 Of Act No. 769 Of The Acts Of 1920, Relating To Elections On Taxes For Library Purposes In Florence County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15 of Act 769 of 1920 repealed.—Section 15 of Act No. 769 of the Acts of 1920 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R354, H1744)

No. 547

An Act To Authorize The Board Of Trustees Of School District No. 4 Of Florence County And The Treasurer Of The County To Borrow Eighty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County School District 4 may borrow money.—The Board of Trustees of School District No. 4 of Florence County and the Treasurer of Florence County are hereby authorized to borrow for school purposes not exceeding eighty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees of School District No. 4 and the Treasurer of Florence County. The note or notes shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the

date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Florence County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R476, S385)

No. 548

An Act To Authorize The Formation Of The Coward Watershed Conservation District In Florence County And To Repeal Act No. 418 Of 1929 Ratifying And Confirming The Proceedings Had In The Formation And Creation Of Coward Drainage District In Florence County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence County—Coward Watershed Conservation District may be formed.—Authority is hereby granted for the

formation of the Coward Watershed Conservation District in Florence County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Long Branch, Green Spring Branch, Horse Branch, Cox Bay Branch, DeHays Branch and Bee Tree Branch. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Repeal—Act 418 of 1929 repealed.—Act No. 418 of 1929 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R482, S386)

No. 549

An Act To Amend Act No. 1007 Of The Acts Of 1960 Creating The Lynches Lake-Camp Branch Watershed Conservation District In Florence County, So As To Further Define The Area Embraced In The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1007 of 1960 amended—area.—Section 2 of Act No. 1007 of the Acts of 1960 is amended by striking on lines 3 and 4 the following: "Lynches Lake terminating at the intersection of Singletary Swamp and Lynches Lake." and inserting in lieu thereof the following: "so much of Lynches Lake as may be designated by the engineers." so that when amended the section shall read as follows:

"Section 2. The area embraced in the district must be contiguous and drain naturally into Camp Branch, Cypress Swamp, Two Mile Branch, Spring Run Branch and so much of Lynches Lake as may

be designated by the engineers. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R561, H1799)

No. 550

An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; And To Levy A Tax For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money are hereby appropriated for the purposes herein set forth for the County of Florence for the period beginning July 1, 1961, and ending June 30, 1962, inclusive, and the Auditor of Florence County is hereby authorized to levy, and the Treasurer to collect, for the calendar year 1961 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same:

Item 1. Roads, Bridges and Chain Gang:

(a) Gasoline, fuel, fuel oil, oil and grease	\$ 30,000.00
(b) Labor	73,040.00
(c) Food and Clothing	65,000.00
(d) Supplies, lumber, hardware, repairs, electricity, telephone and incidentals	25,000.00
(e) Hospitalization, drugs, medicines, special medical treatment and veterinarian	2,500.00
(f) County Physician	2,400.00

Provided, the county physician shall be one of the examining physicians in all lunacy examinations conducted in Florence County.

(g) Custodian of the records of the county chain gang to be assigned such other duties as the county legislative delegation may desire performed	2,640.00
<i>Provided</i> , that all payments from items (a) through (g), inclusive, shall be made by voucher and not by cash.	
(h) Repairs to Equipment	72,000.00
(i) Pipe for bridges	25,000.00
(j) New Equipment	56,314.80
Total Item 1	\$353,894.80

Item 2. Governing Board:

(a) Chairman, Governing Board	\$ 2,400.00
(b) Six members, Governing Board	12,000.00
<i>Provided</i> , that the Commissioners are authorized and requested to assist the County Manager in maintaining the county roads and in constructing and in paving farm to market roads in their respective districts.	
(c) Expenses and mileage, Governing Board, seven members @ \$75.00 per month	6,300.00
(d) Clerk to Board	3,420.00
(e) Asst. Clerk to Board	3,240.00
(f) County Manager	7,700.00
(g) County Attorney	2,200.00
(h) Courthouse, Heat, Light, etc.	8,000.00
(i) Courthouse Janitor	2,880.00
(j) Printing and Postage	6,800.00
(k) Premium on Bonds	1,000.00
<i>Provided</i> , that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, said undertakings to be approved by the governing board of the county, cost of said bonds to be borne by the above item of one thousand dollars.	
(l) Miscellaneous Funds	6,800.00
(m) Secretary for Legislative Delegation	1,650.00
(n) Social Security—Administration	14,000.00
(o) S. C. Retirement System	14,000.00

(p) Office expense, Florence Magistrate	400.00
(q) Delegation office expense	200.00
<hr/>	
Total Item 2	\$ 89,117.00
Item 3. Sheriff's Office:	
(a) Sheriff, salary	\$ 7,700.00
<i>Provided, that the deputies serving any civil process shall receive mileage fees paid therefor by parties securing service.</i>	
(b) Radio Equipment and Maintenance, Sheriff's office	500.00
(c) Eight Deputy Sheriffs @ \$275.00 each per month	26,400.00
(d) Travel expense, eight deputies @ \$200.00 per month	19,200.00
(e) Fingerprint Deputy	1,980.00
<i>He shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence.</i>	
(f) Clerk to Sheriff	2,795.00
(g) Office expense for Sheriff	600.00
(h) Radio Repairman	1,050.00
<hr/>	
Total Item 3	\$ 60,225.00
Item 4. Treasurer's Office:	
(a) Treasurer, Salary	\$ 3,630.00
<i>Provided, that in addition thereto the Treasurer shall be entitled to fifty per cent of all monies received on account of tax executions.</i>	
(b) Treasurer's Clerks (2)	5,700.00
(c) Expenses, mailing tax notices	3,600.00
(d) Interest—Past Ind. Bonds	16,280.00
(e) Interest—Courthouse Bonds	320.00
(f) Courthouse Bonds	3,000.00
<hr/>	
Total Item 4	\$ 31,200.00
Item 5. Magistrates:	
Magistrate—Florence	\$ 4,290.00
Clerk to Magistrate—Florence	2,795.00

Magistrate—Timmons ville	2,750.00
Magistrate—Lake City	2,750.00
Clerk	2,002.00
Magistrate—Pee Dee and Hannah	1,342.00
Magistrate—Evergreen	1,980.00
Magistrate—Olanta	2,750.00
Magistrate—Johnsonville	1,980.00
Magistrate—Pamplico	1,980.00
Magistrate—Coward	1,650.00
<hr/>	
Total Item 5	\$ 26,114.00
Item 6. Constables:	
Two Constables—Florence	\$ 6,600.00
Constable—Timmons ville	2,750.00
Constable—Pamplico	1,980.00
Constable—Olanta	2,750.00
Constable—Lake City	2,750.00
Constable—Evergreen	1,980.00
Constable—Johnsonville	1,980.00
Constable—Pee Dee and Hannah	1,342.00
Constable—Coward	1,650.00
<hr/>	
Total Item 6	\$ 23,782.00
Item 7. Coroner's Office:	
(a) Coroner, Salary	\$ 2,400.00
(b) Stenographic assistance, travel expenses to Coroner	1,980.00
(c) Coroner's expense for performance of autopsies only	1,000.00
<hr/>	
Total Item 7	\$ 4,960.00
Item 8. Judge of Probate's Office:	
(a) Judge of Probate—Lunacy examinations and Juvenile cases	\$ 1,800.00
(b) Clerk to Judge of Probate	3,346.50
(c) Juvenile Court Case Worker	2,541.00
<hr/>	
Total Item 8	\$ 7,687.50

Item 9. Auditor's Office:

(a) Auditor, salary	\$ 3,630.00
(b) Auditor, travel	300.00
(c) Assistant Auditor	3,102.00
(d) Chief Clerk	2,838.00
(e) Clerk	2,310.00
(f) Extra clerical help	2,100.00
(g) County Board of Equalization (\$10.00 per diem for each member)	3,000.00

Total Item 9 \$ 16,950.00

Item 10. County Jail:

(a) County Jailer	\$ 3,130.00
(b) Assistant County Jailer	3,267.00
(c) Jail—Dieting Prisoners	10,000.00

Total Item 10 \$ 16,397.00

Item 11. County Agent's Office:

(a) County Agent, salary	\$ 1,200.00
(b) Expenses to Home Demonstration Agent	350.00
(c) Assistant Home Demonstration Agent	2,640.00
(d) 4-H Club Work	200.00
(e) J. H. A. (Junior Homemakers)	200.00
(f) Negro County Agent, salary	462.00
(g) Negro Home Demonstration Agent	792.00
(h) Assistant Negro Home Demonstration Agent ..	2,400.00
(i) Secretary to serve four Negro County Agents ..	1,800.00
(j) 4-H Club activities for Negro County Agent ..	200.00
(k) Clerk to Farm Home Adm.	1,350.00
(l) Expense, Agricultural Building	3,000.00
The rents from the Agricultural Building to be applied on maintenance.	
(m) City-County Agricultural Commission, Inc. ...	2,000.00
(n) Negro County Agent, supplies	274.76
(o) Home Demonstration Agent, supplies	250.00

Total Item 11 \$ 17,118.76

Item 12. Charities:

(a) Public Welfare Board, Florence County	\$ 8,120.00
---	-------------

(b) Charity Hospital Cases	24,000.00
<i>Provided</i> , that this amount shall be apportioned and disbursed in twelve monthly installments not to exceed two thousand dollars per installment.	
<i>Provided</i> , further, that none of these funds shall be expended on cases outside of Florence County.	
(c) Medicine for charity cases to be disbursed upon recommendation of attending physician	2,400.00
(d) Salvation Army	600.00
(e) Foster Children's Home	5,000.00
(f) Foster Home, Negro Children	4,000.00
(g) Repairs to Negro Foster Home	1,000.00
(h) Needy Orphan Children	1,980.00
<hr/>	
Total Item 12	\$ 47,200.00
Item 13. (a) County Health Department	\$ 41,378.00
<i>Provided</i> , this item is to be paid in monthly payments according to a schedule to be filed by the County Health Director, and approved by the Senator and a majority of the Legislative Delegation in the office of the Governing Board.	
<i>Provided</i> , that the County Health Director shall act with the County Physician in all lunacy examinations and shall administer and give all smallpox vaccinations and anti-typhoid serum, in addition to all general duties of the County Health Director.	
<i>Provided</i> , further, that \$2,000.00 of this sum shall be utilized for out-patient treatment of T.B. patients.	
(b) Mental Health Clinic	11,059.70
<i>Provided</i> , that matching funds are supplied by the State of South Carolina, the Federal Government and Darlington County on the same ratio as in the past in an amount sufficient to demand this expenditure.	
(c) Health Clinic—Pamplico	350.00
(d) Maintenance and operation of Florence Health Center	6,000.00

(e) Maintenance and operation of Lake City Health Center	2,500.00
--	----------

Total Item 13\$ 61,287.70

Item 14. National Guard Units:

(a) Lake City National Guard	\$ 1,200.00
(b) Equipment for Lake City National Guard Armory	2,853.50
(c) Florence National Guard	1,400.00
(d) Repairs to Florence National Guard Armory ..	1,000.00
(e) Timmonsville National Guard	900.00

Total Item 14\$ 7,353.50

Item 15. Courts:

(a) Civil Court of Florence—jurors and expenses ..	\$ 10,000.00
(b) Civil Court Stenographer	3,904.00
(c) Contingent Fund for Civil Court	200.00
(d) Jurors and Witnesses	16,000.00
(e) Expenses, Stenographer, Court of Common Pleas and General Sessions	400.00
(f) Vital Statistics	1,125.00

Provided, that the Clerk of Court shall receive from those applying for birth and death certificates the sum of fifty cents each as compensation for indexing and furnishing birth and death certificates.

(g) Master in Equity	6,000.00
(h) Clerk	2,400.00

Provided, that the Master shall collect the fees and costs as now provided for, keep an account of all fees and costs, and on or before the tenth day of each calendar month he shall deliver an itemized statement of said collection to the County Treasurer, together with the payment to the Treasurer of fifty per cent of all fees collected during the preceding calendar month.

(i) Probation Officer	330.00
(j) Clerk to Probation Officer	330.00
(k) Phone for Probation Officer	103.20

(l) Expenses, Resident Circuit Judge	1,500.00
(m) Clerk—Resident Circuit Judge—Florence County share	1,260.00
Total Item 15	\$ 43,552.20
Item 16. Secretary, County Service Officer	\$ 1,551.00
Total Item 16	\$ 1,551.00
Item 17. Expenses, County Service Officer	\$ 400.00
Total Item 17	\$ 400.00
Item 18. Election Commission	\$ 450.00
Total Item 18	\$ 450.00
<i>Provided</i> , this sum is to be paid for expenses and mileage and is to be paid quarterly.	
Item 19. Florence County Higher Education Commission.	\$ 18,000.00
Total Item 19	\$ 18,000.00
Item 20. Florence County Historical Commission	\$ 7,500.00
Total Item 20	\$ 7,500.00
Item 21. County Recreation Department:	
(a) Director's salary	\$ 5,280.00
(b) Travel	1,200.00
(c) Office Expense and Postage	310.00
(d) Officiating	125.00
(e) Program Supplies	1,500.00
(f) Program Activities	2,000.00
(g) Contingent Fund	65.00
(h) Friendship Park Stadium	850.00
Total Item 21	\$ 10,480.00
Item 22. Insurance on County Employees	\$ 3,000.00
Total Item 22	\$ 3,000.00
Item 23. Insurance on County Buildings	\$ 1,000.00
Total Item 23	\$ 1,000.00

Item 24. Workmen's Compensation Premiums	\$ 2,900.00
<hr/>	
Total Item 24	\$ 2,900.00
Item 25. Annual Audit of County	\$ 2,750.00
<hr/>	
Total Item 25	\$ 2,750.00
Item 26. Expenses for County Game Wardens	\$ 1,200.00
<hr/>	
<i>Provided, that the same be disbursed at the rate of \$50.00 per month each for the Game Wardens at Johnsonville and Olanta.</i>	
Total Item 26	\$ 1,200.00
Item 27. County Ranger	\$ 300.00
<hr/>	
Total Item 27	\$ 300.00
Item 28. Lake City Rescue Squad	\$ 1,077.00
<hr/>	
Total Item 28	\$ 1,077.00
Item 29. Florence Civil Air Patrol	\$ 2,400.00
<hr/>	
Total Item 29	\$ 2,400.00
Item 30. Florence County Registration Board	\$ 1,000.00
<hr/>	
Total Item 30	\$ 1,000.00
Item 31. Industrial Advertising in State Newspaper	\$ 1,300.00
<hr/>	
Total Item 31	\$ 1,300.00
<hr/>	
GRAND TOTAL	\$862,147.46

SECTION 2. The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

SECTION 3. Such officers of the County of Florence as are charged with the expenditure or disbursement of the above appropriations shall state upon each warrant drawn upon the county treasurer the item in the Appropriation Act on account of which the warrant shall have been drawn and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific

purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements; *provided*, the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1961. *Provided*, further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of said board shall be sufficient.

SECTION 4. The governing board shall award this loan to the lowest bona fide bidder, advertising for open bids in one or more newspapers published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided*, the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided*, further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of said funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the county board and are being held in trust for the County of Florence to secure the said deposit. *Provided*, further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided*, further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

SECTION 5. All road machinery, plows, equipment, and supplies to be purchased by the County of Florence from the funds herein appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which

advertisement shall designate the time and place at which the bids will be open, and the said bids shall be publicly opened at the time and place designated in the advertisement. *Provided*, further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly.

SECTION 6. No purchase shall be made for Florence County of any kind whatsoever from any members of the governing board or legislative delegation, or any relative of any member of the governing board or legislative delegation within the sixth degree, nor shall any member of the governing board or legislative delegation, or person related to a member of the governing board or legislative delegation within the sixth degree, enter into any contract by or with the County of Florence.

SECTION 7. The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence County from the delinquent tax collector, and the auditor of the county shall record the transfer thereof without charge in part consideration of the compensation now received by these officers.

SECTION 8. All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R270, S311)

No. 551

An Act To Amend Act No. 1017 Of 1960, Relating To The Holding Of An Election By The Pawley's Island Civic Association, So As To Change The Dates For Such Election.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1017 of 1960 amended—Pawley's Island—referendum concerning form of government.—Section 1 of Act No. 1017 of 1960 is amended by striking it out and inserting in lieu thereof the following:

“Section 1. The Pawley's Island Civic Association is authorized to hold an election between June 1, 1961 and October 31, 1961, to

determine whether or not the residents and freeholders of Pawley's Island proper desire to have the General Assembly enact a law forming the Island into a commission form of government."

SECTION 2. Section 2 of Act 1017 of 1960 amended—conduct of election.—Section 2 of Act No. 1017 of 1960 is amended by striking it out and inserting in lieu thereof the following:

"Section 2. The Pawley's Island Civic Association is authorized to conduct the election in a form most convenient to the freeholders of Pawley's Island proper. Ballots, however, shall be mailed to all freeholders of the Island and by November 10, 1961, all ballots shall be turned over to the commissioners of election for Georgetown County. The commissioners shall then count the ballots and make a report to the Georgetown County Legislative Delegation as to the outcome of the election."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of April, 1961.

(R554, H1934)

No. 552

An Act To Authorize And Empower The County Board Of Education Of Georgetown County To Issue Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds Of Georgetown County; To Prescribe The Terms And Conditions Under Which Such Bonds May Be Issued And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that while there are three independent school districts in Georgetown County operating under the supervision of the County Board of Education of Georgetown County, the financing of the three districts has long been effected on the so-called county unit basis inasmuch as a uniform county-wide levy has been imposed both for the operation of the several schools and for capital expenditures. The plan

has its sanction in decisions of the Supreme Court of South Carolina in the cases of *Shelor vs. Pace*, 151 S. C. 99, 148 S. E., 726 and *Moseley vs. Welch*, 209 S. C. 19, 39 S. E. 2d, 133. The General Assembly now finds that further public school facilities are required in Georgetown County and that it is proper that Georgetown County itself finance the cost thereof through the issuance of general obligation bonds of Georgetown County. To that end it has enacted this act to provide a suitable vehicle to accomplish that purpose.

SECTION 2. Georgetown County may issue bonds for school facilities.—In order to provide funds with which to defray the cost of constructing, improving and equipping public school facilities in Georgetown County the County Board of Education of Georgetown County (herein called the "County Board") is hereby authorized and empowered to issue, under the terms and conditions of this act, not exceeding four hundred thousand dollars of general obligation bonds of Georgetown County.

SECTION 3. Maturity—redemption—interest—where payable. All bonds issued shall be issued as serial bonds, maturing in such equal or unequal amounts as the County Board shall determine, except that the maturity schedule of any series or issue of bonds shall be arranged so that the last annual installment shall fall due not later than twenty years from the date such series or issue of bonds shall bear. Any bond issued pursuant to this act may contain a provision permitting its redemption prior to its stated maturity at such premiums as may be prescribed by the County Board. Such series or issues of bonds shall bear such date and such rate of interest as the County Board may determine. Each issue or series of bonds shall be in such denominations, and shall be payable at such places as the County Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Georgetown County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the County Board may prescribe.

SECTION 4. Proceeds.—The proceeds of any issue or series of bonds, issued pursuant hereto, shall, in the discretion of the County Board, be expended for all or any of the following purposes, that is to say:

- (a) for the purchase of real property for school purposes;

- (b) for the construction of new school buildings;
- (c) for the repair or improvement of existing school buildings; and
- (d) for equipment for any public schools operated by the County Board.

SECTION 5. Sale.—Each issue or series of bonds, issued pursuant hereto, shall be sold at public sale. The form, manner and occasion of the advertisement for public sale shall be determined by the County Board. No bonds shall be sold at less than par and accrued interest to the date of delivery.

SECTION 6. Execution.—All bonds issued pursuant to this act shall be executed in the name of Georgetown County by the Chairman of the County Board of Education of Georgetown County, and shall be attested by the County Superintendent of Education of Georgetown County, under the seal of the County Board of Education of Georgetown County. The coupons appertaining to such bonds need not be authenticated otherwise than by facsimile signatures.

SECTION 7. Proceeds—further.—The proceeds derived from the sale of bonds, issued pursuant hereto, shall be deposited with the Treasurer of Georgetown County in a special fund, separate and distinct from all other funds. The proceeds shall be applied solely for the purposes for which the bonds are issued, except that accrued interest and premium, if any, shall be deposited in the account to be established by the Treasurer of Georgetown County, for the payment of the principal of and interest on the bonds. The funds shall be expended upon warrants of the County Board.

SECTION 8. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 9. Payment.—For the payment of the principal of and interest on the bonds, as they respectively mature, the full faith, credit and resources of Georgetown County are hereby irrevocably pledged, and there shall be levied annually by the Auditor of Georgetown County and collected by the Treasurer of Georgetown County, in the same manner as other county taxes are levied and collected, such tax as may be necessary, without limit, on all taxable property in Georgetown County, to pay the principal of and interest on the bonds as they respectively mature.

No bonds shall be issued pursuant to the authorizations of this section subsequent to December 31, 1962.

SECTION 10. Powers of board.—The authorizations of this act shall vest in the County Board full power to effect the issuance of the bonds authorized hereby and such authority may be exercised by resolutions adopted by such County Board at any regular or special meeting.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R670, H1857)

No. 553

An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1961, Through June 30, 1962, And For The Expenditure Thereof And To Restrict Use Of Certain Fishing Equipment On Pawley's Island, And To Set Limit Of Certain Waters In The County, And Other Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. In order to provide the sums appropriated herein for the respective purposes, hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County for the fiscal year beginning July 1, 1961, and ending June 30, 1962, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy, with the approval of the majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

Roads and Bridges	\$120,000.00
Clerk of Court, Salary	6,352.50
Deputy Clerk of Court, Salary	3,374.91
Clerk to Clerk of Court, Salary	2,788.08
Clerk to Clerk of Court, Salary	660.00

Sheriff, Salary	6,352.50
Sheriff, Travel Allowance	2,722.50
Deputy Sheriffs, Salaries	31,593.28
Deputy Sheriffs, Travel Allowance	21,095.63
For use by Sheriff for Investigating Purposes	1,500.00
Clerk to Sheriff and Magistrate, Salary	3,462.65
Jailor	3,601.66
Treasurer, sufficient with amount paid by State to total \$6,352.50.	
Clerk to Treasurer, Salary	3,374.91
Auditor, sufficient with amount paid by State to total \$6,352.50.	
Clerk to Auditor, Salary	3,374.91
Clerk to Auditor and Treasurer, Salary	2,788.08
Clerk to Treasurer, Salary	2,988.08
Part-time Clerk to Treasurer	500.00
Clerk to Auditor	3,420.00
County Commissioners, per diem and mileage	1,500.00
Chairman, Board of Commissioners, Salary	2,772.00
County Service Officer, Salary	4,158.00
County Service Officer, Travel	1,100.00
Clerk to Service Officer, Salary	3,049.20
Coroner, Travel	699.60
Attorney	900.00
Judge of Probate, Salary	5,400.00
Clerk to Probate Judge	2,700.00
Janitors, Courthouse Buildings, including Health Center	3,465.00
Charwoman to assist Janitor	660.00
Magistrate, Georgetown, Salary	3,811.50
Magistrate, Andrews, Salary	1,500.00
Constable, Andrews, Salary	480.00
Magistrate, No. 5 Township, Salary	1,200.00
Constable, No. 5 Township, Salary	480.00
Magistrate, No. 6 Township, Salary	1,200.00
Constable, No. 6 Township, Salary	480.00
Magistrate, Pawley's Island, Salary	1,200.00
Constable, Pawley's Island, Salary	480.00
Magistrate, Murrells Inlet, Salary	1,200.00
Constable, Murrells Inlet, Salary	480.00
Tax Commission and Board of Appeals	400.00

Jail Expenses	12,000.00
Jurors and Witnesses	5,000.00
Emergency Funds, Dept. of Public Welfare	2,500.00
Poor	5,000.00
Administrative Expenses, Dept. of Public Welfare ..	1,500.00
Post Mortems, Inquests and Lunacy	1,000.00
Public Buildings	15,000.00
Printing, Postage and Stationery	8,000.00
County Health Department	11,564.00
County Library	10,580.00
Bonding County Officers	1,200.00
Vital Statistics	400.00
Telephone and Telegraph	2,000.00
Special Contingent	40,000.00
County Home Dem. Agent, Col., Travel	825.00
Clerk to County Home Dem. Agent, Col.	952.88
Workmen's Compensation Insurance	2,000.00
Retirement Fund and Social Security	12,000.00
HQ and HQ Btry., 4th Rkt.-How. 178 Arty. BN, Georgetown	750.00
A Btry., 4th Rkt.-How. 178th Arty. BN, Andrews ..	750.00
B. Btry., Rkt.-How. 178th Arty. BN Georgetown ..	750.00
Chairman, Board of Registration, Salary	800.42
Clerk, Board of Registration, Salary	508.20
Radio Maintenance	1,500.00
Tax Assessor, Salary	3,811.37
Tax Assessor, Mileage	1,320.00
Assistant Health Inspector	1,524.60
The County Health Office	300.00

SECTION 2. The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

SECTION 3. The sheriff of the county shall be allowed one dollar per day each for dieting prisoners and he shall furnish them good, wholesome food.

SECTION 4. The sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

SECTION 5. The Senator and members of the House of Representatives from Georgetown County are hereby authorized and em-

powered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered, and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

SECTION 6. The special contingent fund provided for in this act shall not be expended except upon the written order of the Senator and members of the House of Representatives from Georgetown County. In the event, however, of the death or resignation of any one or more of the members of the delegation the survivors shall have the right to execute any such order.

SECTION 7. It shall be unlawful for any person to gig for fish in salt waters from the northern tip of North Island to the northern tip of Magnolia Beach, during the daylight hours. Any person violating the provisions of this section, upon conviction, shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than thirty days.

SECTION 8. Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper account.

SECTION 9. The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

SECTION 10. All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the officer or officers receiving such monies in their annual statement to the members of the legislative delegation.

SECTION 11. All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided*, that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

SECTION 12. Jurors serving in circuit courts in Georgetown County in this State shall in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

SECTION 13. Whenever warrants are drawn in the county commissioner's office or the office of the board of education on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

SECTION 14. There shall be no hauling of seines or nets, either by hand or from boats, within one-half mile of any fishing pier on Pawley's Island.

SECTION 15. The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek.

SECTION 16. The county board of education may sell and convey properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided*, those properties belonging to the county board do not have a value of more than two thousand dollars.

SECTION 17. The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for the county airport who shall receive no salary for the services. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

SECTION 18. The county attorney shall render assistance and represent the sheriff's office when requested in all cases before Magistrates in Georgetown County at no additional cost to the county. He shall not engage in any litigation or represent any interest contrary to Georgetown County or any agency or department thereof.

SECTION 19. Of the amount appropriated for Roads and Bridges in Section 1, the sum of ten thousand dollars shall be utilized and expended by the Drainage Commission for Georgetown County for drainage purposes.

SECTION 20. The Board of Education shall have the right to select and employ a competent attorney of its choice to represent it in all matters.

SECTION 21. All acts or parts of acts inconsistent herewith are repealed.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R59, H1152)

No. 554

An Act To Transfer a Certain Tract Of Land In Greenville County From Gantt Water And Sewer District To Parker Water And Sewer Subdistrict Of The Greater Greenville Sewer District And To Direct The Owners Of Such Land To Pay A Certain Sum Of Money To The Treasurer Of Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Land transferred from Gantt Water and Sewer District to Parker Water and Sewer Subdistrict.—The following tract of land is hereby removed from the Gantt Water and Sewer District and placed within the Parker Water and Sewer Subdistrict of the Greater Greenville Sewer District, subject to all levies and assessments of such district and subdistrict:

All that piece, parcel or tract of land near the City of Greenville, in the County of Greenville, State of South Carolina, on the west side of Church Street Extension or the new interstate Highway 185 (formerly U. S. Highway No. 29), having the following metes and bounds, to wit:

Beginning at the southwest intersection of Henry Dale Street with Church Street Extension, and running thence along the west side of Henry Dale Street, N. 41-56 W. 245.4 feet to the center of Mills Avenue; thence down the center of Mills Avenue, S. 71-30 W. 914.6 feet to the center of Wallace Street; thence down Wallace Street to its dead end into Simpson Street and beyond S. 24-56 W. 18.0 feet; thence N. 55-36 W. 165 feet to the line of Chestnut Hills subdivision; thence along the line of Chestnut Hills subdivision, S. 15-30 W. 836 feet; thence still along the line of Chestnut Hills subdivision S. 82-05 E. 790 feet to the west side of the right-of-way of Church Street Extension; thence along the west side of the right-of-way N.

16-41 E. 600 feet to the south side of Simpson Street; thence along the south side of Simpson Street, S. 55-36 E. 35 feet to the west side of the right-of-way of Church Street Extension; thence along the west side of the right-of-way 2,177 feet, more or less, to the point of beginning.

The above property is designated on the Greenville County Block Book as Tract 102-1-1.1, 102-2-1 and that portion of 102-2-1.3 lying west of Church Street Extension.

SECTION 2. Auditor and tax collector to change records—payment of certain monies.—The Auditor and the Tax Collector for Greenville County are authorized and directed to make the appropriate changes in the records of their office; and Center City, a corporation, Willie Maud Phillips Smith and David C. Phillips are authorized and directed to forthwith deposit with the Treasurer of Greenville County to the credit of the bond account of Gantt Water and Sewer District, the sum of nine hundred twenty-five dollars and ninety-three cents, such sum to be used only for the payment of principal and interest on the now outstanding bonds of the Gantt Water and Sewer District. The area described in Section one and the individuals named in Section two shall also pay into the County Treasurer their pro-rata share of any judgments obtained from suits filed in the Clerk of Court's office for Greenville County on or before March 1, 1961, against the Gantt Water and Sewer District.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

An Act To Make Provision For Further Public Hospital Facilities In A Section Of Greenville County Through The Creation Of The Mauldin-Simpsonville-Fountain Inn Hospital District; To Provide A Governing Commission For Such District; To Prescribe The Powers Of The Commission; To Authorize The District To Issue Not Exceeding One Hundred Seventy-Five Thousand

Dollars Of General Obligation Bonds, Whose Proceeds Shall Be Used In The Acquisition And Construction Of A Public Hospital In The District; To Make Provision For The Payment Thereof; And To Empower The Governing Commission To Contract With The Greenville General Hospital Board Of Trustees For The Operation Of The District's Hospital.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that by Act No. 432 of the Acts of the General Assembly for the year 1947 (45 Statutes at Large, page 1145), as amended, a system for providing public hospital facilities for the inhabitants of Greenville County was established. The system now consists of centralized hospital facilities located in the City of Greenville and certain additional facilities in the City of Greer, the construction cost of which latter facilities was shared by Greenville County and the City of Greer. Section 6 of the act, as now amended, provides a scheme by which further hospital facilities may be provided in incorporated municipalities or districts of the county. All presently existing facilities are operated by the Board of Trustees of Greenville General Hospital (hereinafter called the "Board of Trustees") with revenues derived from receipts from patients and others who receive hospital services, and public and private contributions.

It has now been found that the constantly increasing population of the area hereinafter described and incorporated into the Mauldin-Simpsonville-Fountain Inn Hospital District has brought about a special need for public hospital facilities which will be located in that area. The investigations which have been made, and which find their approval in the enactment of this act, indicate that the benefits to be derived by that area from public hospital facilities located within the area, are sufficient to warrant a departure from the original plan which contemplates a contribution by Greenville County, as a whole, to the construction of hospital facilities located elsewhere than those in the City of Greenville. Investigation establishes that while the facilities of the Greenville General Hospital in the City of Greenville will continue to be used by persons living within the area of the District herein created, many services can be rendered by a public hospital located therein, which will have the overall effect of providing better facilities than those now available to the residents of that area. It has been determined, nevertheless, that the general

scheme for operating public hospital facilities for Greenville County should continue under the Board of Trustees. It has, therefore, been determined to create the area hereinafter described into a special hospital district; to establish a governing Commission therefor; to authorize the district to issue bonds in the sum of one hundred seventy-five thousand dollars whose net proceeds shall be deposited with the Treasurer of Greenville County, subject to withdrawal by the Board of Trustees, and used, with Federal funds and other funds that might be available therefor, for the establishment of public hospital facilities in the proposed district, which shall be operated by and at the expense of the Board of Trustees. It has been determined that the Commission established for the District shall, after performing the immediate functions required by this act, remain in existence in order to investigate the conduct of the public hospital facilities to be established in the district, and to render advisory opinions thereabout to the Board of Trustees and the Greenville County Delegation. On the basis of the foregoing facts, this act has been enacted.

SECTION 2. Mauldin-Simpsonville-Fountain Inn Hospital District created in Greenville County—area.—There is hereby created and established in Greenville County a special purpose district to be known as Mauldin-Simpsonville-Fountain Inn Hospital District, and which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act and any subsequent act amendatory hereof. The district shall include and be comprised of that area in Greenville County described as follows:

“Beginning at a point at the western edge of the intersection of U. S. Highway No. 276 and a line parallel to Interstate Highway No. 85 and 300 feet southeast of the center line thereof; and running thence southwestwardly along such line (parallel to Interstate Highway No. 85 and 300 feet southeast of the center line thereof) to the Reedy River; thence generally southwardly along the meanderings of Reedy River to a point where Reedy River intersects the Laurens County line; thence along the Laurens County line in a northeasterly direction to a point where the Laurens County line intersects the Spartanburg County line; thence in an irregular and northwesterly direction along the Spartanburg County line to a point where the Spartanburg County line intersects the center line of Woodruff Road; thence in a west by north direction along the center line

of Woodruff Road to a point 300 feet distant from Interstate Highway No. 85; thence southwesterly along the line parallel with Interstate Highway No. 85 and 300 feet distant from the center line thereof, to the point of beginning."

The area above described is more fully set forth and delineated on a plat made by Piedmont Engineering Service, Greenville, S. C., and in order that those, whose property shall be taxed to pay the principal and interest of the bonds herein authorized, shall be duly notified, no bonds authorized by this act shall be delivered until copies of the plat shall have been filed in the offices of the Auditor and Treasurer of Greenville County. Further copies shall be delivered to the Board of Trustees.

In this act the Mauldin-Simpsonville-Fountain Inn Hospital District is referred to as "the District."

SECTION 3. ~~Managed by a commission—members—terms—of-ficers—vacancies.~~—The District shall be operated and all functions committed to the District shall be performed by a Commission to be known as the Mauldin-Simpsonville-Fountain Inn Hospital Commission (hereinafter called "the Commission"), which shall consist of three resident electors of the District. Initially such Commission shall consist of the following persons:

W. M. Burdette
Ralph S. Hendricks
W. W. Kellett

One of such persons shall hold office for a term to end at midnight on June 30, 1963; a second shall hold office for a term to end at midnight on June 30, 1965, while the third shall hold office for a term to end at midnight on June 30, 1967. As soon following the enactment of this act as possible, those named as commissioners shall meet and determine their respective terms by lot. They shall choose one of their number to act as chairman and a second to act as secretary for such terms as the Commission shall prescribe. Immediately following the organization, the secretary so chosen shall certify to the Secretary of State of South Carolina the terms which have been allotted to the three initial members of the Commission and the Secretary of State shall enter such certificate upon his records and appropriate commissions shall thereupon be issued by the Governor and the Secretary of State. Upon the expiration of the term appointed by the Governor, upon the recommendation of the Senator of office of any member of the Commission, a successor shall be

and a majority of the Greenville County Legislative Delegation, for a term of four years to end on June thirtieth in the last year of such term. In the event that vacancies shall arise, either among the initial appointees or among those hereafter appointed to the Commission, such vacancies shall be filled in the manner provided for the appointment of successors to those initially named. Notwithstanding the expiration of the term of office of any commissioner, he shall continue to serve until his successors shall have been recommended, appointed and qualified, but any delay in appointing a successor shall not extend the term of the successor.

SECTION 4. Powers and duties.—It shall be the function of the District to provide to the extent herein provided, funds for the establishment of public hospital facilities to be located in the District and upon property to be owned by the District and it shall be the duty of the Commission to perform this function. The Commission shall be further empowered to enter into a contract with the Board of Trustees, under the terms of which the District shall agree to turn over to the Board of Trustees the net proceeds of the bonds herein authorized, upon the condition that the Board of Trustees will construct, with such funds and any Federal, State or county funds that may be available therefor, public hospital facilities upon the site to be acquired by the District, and that following the construction of the hospital facilities, the Board of Trustees shall agree to operate the public hospital facilities, to staff them properly and to pay all costs of operating the same. Such hospital facilities shall be operated as a part of the general hospital facilities of Greenville County under the operation and control of the Board of Trustees who shall have with respect to the operation of such facilities all of the powers granted to them by Section 5 of Act No. 432 of the Acts of the General Assembly for the year 1947, as may be pertinent and applicable to the proper functioning of the hospital facilities to be provided by the District. Such contract shall be of such duration, not exceeding forty years, as the Commission and the Board of Trustees shall agree, but it shall be provided that if the Board of Trustees shall fail to comply with the obligation of operating and maintaining the facilities, then the contract shall terminate and the facilities herein provided may be operated under similar conditions by the Commission. To that end and in order to enable the Commission to operate the hospital facilities, the Commission shall have the powers granted to the Board of Trustees by the above noted Section 5 of Act No. 432.

SECTION 5. Investigations and reports.—During the period of time that the hospital facilities are operated by the Board of Trustees, the Commission shall from time to time conduct such investigations of its operations as are necessary to enable it to determine the proper functioning of the same, and they shall make reports and recommendations concerning such operation to the Board of Trustees and the Greenville County Legislative Delegation. The reports shall be made in writing not less frequently than annually.

SECTION 6. Bond issue authorized.—(1) If the Commission and the Board of Trustees shall agree upon the contract contemplated by Section 4 of this act, then and in such event the Commission shall be, and it is hereby, authorized and empowered to issue and sell not exceeding one hundred seventy-five thousand dollars of general obligation bonds of the District. The proceeds of the sale of the bonds authorized by this act shall be deposited with the County Treasurer of Greenville County and shall be applied as follows:

- (a) Any premium and all accrued interest that may be received shall be applied to the payment of the first instalment of interest to fall due upon the bonds;
- (b) The expenses incurred by the Commission in effecting the issuance and sale of the bonds shall be paid, but upon warrant of the Commission;
- (c) The remaining proceeds shall be expended upon the order or warrant of the Board of Trustees, for the purpose of acquiring a site for the hospital facilities contemplated by this act and to meet costs incurred in the construction and equipping of such hospital facilities; and
- (d) If, upon the final establishment of such hospital facilities, any moneys shall remain in the fund, the same shall be applied by the Treasurer of Greenville County to the payment of the principal of bonds next maturing.

(2) Such bonds shall be issued as serial bonds, maturing in such equal or unequal amounts as the Board shall determine, except that the maturity schedule shall be arranged so that the first instalment of principal shall mature not later than two years from the date as of which the bonds shall be dated, and the last instalment shall fall due not later than twenty-five years from the date the bonds shall bear. Any bond issued pursuant to this act may contain a provision permitting its redemption prior to its stated maturity at such premiums as may be prescribed by the Commission. The bonds shall bear such

date and such rate or rates of interest as the Commission may determine. They shall be in such denomination or denominations and shall be payable at such place or places as the Commission may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

(3) Bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their maturity at public sale, and at least ten days prior to the sale, notice of the intention to receive bids for the bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the Commission may reserve the right to reject any and all bids, and if all bids be rejected, the Commission may, in its discretion, negotiate for the private sale of the bonds.

(4) All bonds issued pursuant to this act shall be executed in the name of the District by the Chairman of the Commission and shall be attested by the secretary, under the Seal of the Commission, which is hereby expressly authorized to adopt and alter a corporate seal. The coupons appertaining to the bonds need not be authenticated otherwise than by facsimile signatures.

(5) The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(6) For the payment of the principal of and interest on the bonds, as the same respectively mature, the full faith, credit and resources of the District are hereby irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected such tax as may be necessary, without limit, on all taxable property in the District to pay the principal of and interest on the bonds as the same respectively mature.

SECTION 7. Saving clause.—If any section or part of this act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of other sections or parts hereof.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed, and it is expressly prescribed that the procedure herein followed shall be, insofar as the District is concerned, in lieu of the procedure contemplated by Section 6 of Act No. 432 of the Acts of 1947, as amended.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of February, 1961.

(R130, H1338)

No. 556

An Act To Amend Act No. 230 Of The Acts Of 1951, As Amended, Relating To The Commission Of Sanitation Of The Greater Greenville Sewer District, So As To Provide For The Addition Of The Gantt Water And Sewer District To The Area Served By The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 230 of 1951 amended—Gantt Water and Sewer District may be added to area under control of Commission of Sanitation of the Greater Greenville Sewer District.—Section 2 of Act No. 230 of the Acts of 1951, as amended, is further amended by adding at the end thereof the following proviso: "*Provided*, the procedure for the addition of the Gantt Water and Sewer District to the area under the control of the Commission of Sanitation of the Greater Greenville Sewer District shall be as follows: a majority of the Commissioners of the Gantt Water and Sewer District shall negotiate an agreement with the Sanitation Commission of the Greater Greenville Sewer District whereby the Gantt District will be relieved from all responsibility for the collection and disposal of garbage within such district and whereby shall be specified the amount of millage that shall be transferred from the account of the Gantt District to the account of the Sanitation District. The agreement shall be certified in writing signed by a majority of the Commissioners of the Gantt Water and Sewer District to the Greenville County Auditor. The auditor shall thereupon transfer from the account of the Gantt District to the account of the Sanitation District such millage as is specified in the certificate."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R135, H1339)

No. 557

An Act To Amend Act No. 855 of The Acts Of 1954 Creating The Gantt Water And Sewer District In Greenville County, So As To Allow The District To Make Certain Contracts For The Collection And Disposal Of Garbage.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 11, Section 3 of Act 855 of 1954 amended—powers and duties—further.—Item 11 of Section 3 of Act No. 855 of the Acts of 1954 is amended by changing the period to a comma at the end thereof and adding the following: “and to enter into such contracts as may be specifically authorized by law for the collection and disposal of garbage.” so that the item when amended shall read as follows:

“11. Establish, operate and maintain a system for the collection and disposal of garbage, and to enter into such contracts as may be specifically authorized by law for the collection and disposal of garbage.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R304, H1699)

No. 558

An Act To Amend An Act Of The General Assembly Of 1961 Bearing Ratification Number 64 And Approved By The Governor February 15, 1961, Which Makes Provision For Further Public Hospital Facilities In A Section Of Greenville County Through The Creation Of The Mauldin-Simpsonville-Fountain Inn Hospital District By Providing That Title To The Hospital Facilities To Be Obtained Through The Sale Of The Bonds Authorized By The Act Shall Be Vested In The Board Of Trustees Of Greenville General Hospital, By Modifying The Functions Imposed Upon The Mauldin-Simpsonville-Fountain Inn Hospital Commission, And By Further Prescribing The Conditions Under Which The Bonds Authorized By The Act May Be Issued.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that it did by an act entitled “AN ACT TO MAKE PROVISION FOR FURTHER PUBLIC HOSPITAL FACILITIES IN A SECTION OF GREENVILLE COUNTY THROUGH THE CREATION OF THE MAULDIN-SIMPSONVILLE-FOUNTAIN INN HOSPITAL DISTRICT; TO PROVIDE A GOVERNING COMMISSION FOR SUCH DISTRICT; TO PRESCRIBE THE POWERS OF SUCH COMMISSION; TO AUTHORIZE THE DISTRICT TO ISSUE NOT EXCEEDING ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS OF GENERAL OBLIGATION BONDS, WHOSE PROCEEDS SHALL BE USED IN THE ACQUISITION AND CONSTRUCTION OF A PUBLIC HOSPITAL IN SAID DISTRICT; TO MAKE PROVISION FOR THE PAYMENT THEREOF; AND TO EMPOWER THE GOVERNING COMMISSION TO CONTRACT WITH THE GREENVILLE GENERAL HOSPITAL BOARD OF TRUSTEES FOR THE OPERATION OF THE DISTRICT’S HOSPITAL”, and enacted during the present session of the General Assembly and bearing ratification number 64, undertake to make provision for further public hospital facilities in that section of Greenville County created by this act into the Mauldin-Simpsonville-Fountain Inn Hospital District (herein called “the district”). The act envisaged the issuance of bonds by the district under the conditions set forth in the act, which included the condition precedent that the district enter into a contract with the Board of Trustees of Greenville General Hospital (hereinafter called “board of trustees”), under the terms of which the board of trustees would utilize the net proceeds derived from the sale of the bonds, and such other funds, Federal, State or County, as might be available therefor, to construct a hospital building in the district, to be owned by the district, which would be operated by the board of trustees as a part of the general hospital facilities of Greenville County for such period of years as might be agreed to by the Mauldin-Simpsonville-Fountain Inn Hospital Commission (hereinafter called “the commission”).

Following the enactment above referred to, further studies of the most practical and feasible method of providing the hospital facilities in the district of the sort contemplated by the act, have been made, from which it has been determined that the district should make an outright payment to the board of trustees of the net proceeds derived

from the bonds, and that the proceeds and such further funds as might be available therefor, should be used by the board of trustees for the construction and equipping of hospital facilities at a site in the district mutually agreed upon by the commission and the board of trustees, but that the site, the hospital and all of its equipment should become the sole and absolute property of the board of trustees, and that the function of maintaining, operating and supervising the facility should be the sole duty of the board of trustees.

On this basis, and in order to implement the finding herein made, it is necessary to amend the enactment previously made, so that it will, as herein amended, serve as a suitable vehicle for the plan as now determined upon.

In providing for the creation of the district and the issuance of bonds by it, in order that hospital facilities shall be located within the district, the General Assembly finds that the section of Greenville County created into the district and which must bear the tax burden imposed for the payment of the principal and interest of the bonds, will derive special benefits from the establishment and maintenance of hospital facilities therein.

It has been further determined that the cooperative nature of the venture brings it within the rule permitting cooperative ventures between political subdivisions of the State as promulgated by the Supreme Court of South Carolina in several decisions, including that rendered in the case of *Smith vs. Robertson*, decided 1947, 210 S. C. 99, 41 S. E. 2d, 631.

SECTION 2. Section 4 of Act 555 of 1961 amended—powers and duties.—Section 4 of the act enacted during the 1961 session and whose title is set forth in Section 1 of this act and which bears ratification number 64, is hereby amended by striking out the section and inserting in lieu thereof the following which shall become Section 4:

“Section 4. It shall be the function of the district to provide, to the extent herein provided, funds for the establishment of public hospital facilities to be located in the district and on a site to be agreed upon by the commission and the board of trustees, and it shall be the duty of the commission to perform this function. The commission shall be empowered to enter into a contract with the board of trustees, under the terms of which the district shall agree to turn over to the board of trustees the net proceeds of the bonds herein authorized, upon the

condition that the board of trustees will construct, with such funds and any Federal, State or County funds that may be available therefor, public hospital facilities upon the site in the district to be selected by the commission and the board of trustees, and to be owned by the board of trustees, and that following the construction of the hospital, the board of trustees shall operate such public hospital facilities, staff them properly, and pay all costs of their operation. The hospital facilities shall constitute a part of the general hospital facilities of Greenville County under the operation and control of the board of trustees, who shall have, with respect to the operation of such facilities, all of the powers granted to them by Section 5 of Act No. 432 of the Acts of the General Assembly for the year 1947, as may be pertinent and applicable to the proper functioning of the hospital facilities located in the district."

SECTION 3. Section 5 of Act 555 of 1961 amended—powers and duties—further.—Section 5 of the act heretofore enacted during the 1961 session and whose title is set forth in Section 1 of this act and which bears ratification number 64, is hereby amended by striking out the section and inserting in lieu thereof the following, which shall become Section 5:

"Section 5. Following the occasion of the delivery of the net proceeds of the bonds authorized by Section 6 of this act to the board of trustees, the commission shall have no further responsibility with respect to the construction or operation of the hospital facilities, but shall continue to regulate the fiscal affairs of the district relative to the issuance of bonds as set forth in Section 6 of this act, and shall also continue to function by causing studies to be made of the needs of the district for additional hospital and other facilities relating to the public health of the residents of the district, and shall make reports and recommendations concerning the same to the Greenville County Legislative Delegation. Such reports shall be made in writing not less frequently than annually."

SECTION 4. Section 6 of Act 555 of 1961 amended—bond issue authorized.—Section 6 of the act heretofore enacted during the 1961 session and whose title is set forth in Section 1 of this act and which bears ratification number 64, is hereby amended by striking out the section and inserting in lieu thereof the following, which shall become Section 6:

“Section 6. (1) If the commission and the board of trustees shall agree upon the location or the site for the hospital facilities and shall evidence such agreement by resolutions respectively adopted, then and in such event the commission shall be authorized and empowered to issue and sell not exceeding one hundred seventy-five thousand dollars of general obligation bonds of the district. The proceeds of the sale of the bonds authorized by this act shall be deposited with the County Treasurer of Greenville County and shall be applied as follows:

(a) Any premium and all accrued interest that may be received shall be applied to the payment of the first instalment of interest to fall due upon the bonds;

(b) The expenses incurred by the commission in effecting the issuance and sale of the bonds shall be paid, but upon warrant of the commission;

(c) The remaining proceeds shall be expended, upon the order or warrant of the board of trustees, for the purpose of acquiring a site for the hospital facilities contemplated by this act and to meet costs incurred in the construction and equipping of such hospital facilities; and

(d) If, upon the final establishment of such hospital facilities, any moneys shall remain in the fund, they shall be applied by the Treasurer of Greenville County to the payment of the principal of bonds next maturing.

(2) The bonds shall be issued as serial bonds, maturing in such equal or unequal amounts as the commission shall determine, except that the maturity schedule shall be arranged so that the first instalment of principal shall mature not later than two years from the date as of which the bonds shall be dated, and the last instalment shall fall due not later than twenty-five years from the date such bonds shall bear. Any bond issued pursuant to this act may contain a provision permitting its redemption prior to its stated maturity, at such premiums as may be prescribed by the commission. The bonds shall bear such date, and such rate or rates of interest as the commission may determine. They shall be in such denomination or denominations, and shall be payable at such place or places as the commission may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have

been to bearer, upon such conditions as the commission shall prescribe.

(3) Bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their maturity at public sale, and at least ten days prior to such sale, notice of the intention to receive bids for such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission may reserve the right to reject any and all bids, and if all bids be rejected, the commission may, in its discretion, negotiate for the private sale of such bonds.

(4) All bonds issued pursuant to this act shall be executed in the name of the district by the chairman of the commission and shall be attested by the secretary, under the seal of the commission, which is hereby expressly authorized to adopt and alter a corporate seal. The coupons appertaining to the bonds need not be authenticated otherwise than by facsimile signatures.

(5) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(6) For the payment of the principal of and interest on the bonds, as they respectively mature, the full faith, credit and resources of the district are hereby irrevocably pledged, and there shall be levied annually by the Auditor of Greenville County and collected by the Treasurer of Greenville County, in the same manner as county taxes are levied and collected, such tax as may be necessary, without limit, on all taxable property in the district, to pay the principal of and interest on the bonds as they respectively mature."

SECTION 5. Act 555 of 1961 amended—Section 6A added—district to be compensated if hospital not operated by board.—Insert following Section 6 of the act of 1961 bearing ratification number 64 the following which shall become Section 6-A:

"Section 6-A. In the event that hereafter the board of trustees shall fail to operate the hospital facilities contemplated by this act or others of similar nature in the district, then and in such event it shall be the duty of the board of trustees to effect just compensation to the district."

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R417, H1778)

No. 559

An Act To Empower Special Purpose Districts In Greenville County Operating Water Distribution Systems To Sell And Convey The Same To The City Of Greenville, To Authorize Such Acquisitions By The Commissioners Of Public Works Of The City Of Greenville, To Prescribe The Terms And Conditions Under Which Such Transactions May Be Effected, And To Provide For Referendums Prior To The Sale Of Any System.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there are several special purpose districts in Greenville County which operate water distribution systems within such districts. Such systems obtain water from the Waterworks System of the City of Greenville, (operated by the Commissioners of Public Works of the City of Greenville), which is the only large dependable source of water supply in Greenville County. In all instances the water distribution systems of the special purpose districts were financed by bonds, many of which are now outstanding. In many instances revenues derived from the operation of such systems are pledged to additionally secure the outstanding bonds. The General Assembly finds that in certain instances those served by the water distribution systems of the special purpose districts would possibly receive improved service if the water distribution systems of some, if not all, of the special purpose districts were acquired by the City of Greenville and incorporated into the waterworks system operated by the Commissioners of Public Works of the City of Greenville. Such action would enable the Commissioners of Public Works of the City of Greenville to expand the City's system (as thus enlarged) into areas not now served by a public waterworks system. On the basis of these findings, the General Assembly has determined to authorize the governing boards or commissioners of the several special purpose districts in Greenville County now operating water distribution systems within their respective districts to sell, and the City of Greenville, acting through its Commissioners of Public Works, to buy, the systems owned by the special purpose districts under the terms and conditions of this act.

SECTION 2. Special purpose districts in Greenville County may sell water systems to City of Greenville.—The Board of Commis-

sioners, or other governing bodies of any special purpose districts in Greenville County which own and operate water distribution systems which obtain their water supply from the municipal Waterworks System of the City of Greenville, operated by the Commissioners of Public Works of the City of Greenville, are hereby authorized and empowered to sell and convey such systems to the City of Greenville on such terms and conditions (including covenants to render water available to residents of the special purpose districts) as shall be mutually agreed upon; *provided*, always, that in the event the special purpose districts proposing to sell and convey such systems have outstanding bonds whose proceeds were used solely to acquire such water distribution systems, then in such event the Commissioners of Public Works, acting on behalf of the City of Greenville, shall assume the payment of the principal and interest on said bonds. If such outstanding bonds shall have been used, in part, to finance other projects, then in such event, the obligation of the Commissioners of Public Works need not exceed the aggregate of the bonds outstanding at the time of any conveyance of the water distribution system, whose proceeds were used to pay the cost of the said distribution systems. Nothing in this act shall impair the obligation of any pledge made by any special purpose district of the revenues of its system to additionally secure the payment of principal or interest on its bonds, and if the Commissioners of Public Works shall assume the payment of the principal and interest of bonds for whose payment all or any part of the revenues of the water distribution system of the special purpose district have been pledged, in such event, it shall become the duty of the Commissioners of Public Works to faithfully abide by the terms and conditions of such pledge and to honor the same in all respects.

SECTION 3. Commissioners of Public Works may purchase for city.—The Commissioners of Public Works of the City of Greenville shall, upon concurrence by the City Council of said City, be fully empowered to acquire by purchase for the City of Greenville water distribution systems from special purpose districts in Greenville County now or hereafter possessing water distribution systems on such terms as may be mutually agreed upon and no approval thereof shall be required of the qualified registered electors of said City by way of an election.

SECTION 4. City not obligated to maintain sewer facilities.—Any purchase or acquisition made by the City of Greenville acting

by and through its Commissioners of Public Works under this act shall be made without any duty or obligation whatever on the part of the City of Greenville or the Commissioners of Public Works of said City to provide, extend, or maintain sewer facilities to any part of the area covered by any water distribution system involved.

SECTION 5. Election concerning sale.—Before any sale may be made by the governing body of the special purpose districts the matter shall be first submitted to the qualified electors of the several districts.

SECTION 6. Conduct of.—The governing body of the special purpose districts shall be charged with the duty of holding the election and shall cause to be published in one or more newspapers of general circulation within the districts a notice of the election at least two successive weeks prior to the holding of such elections. The notice shall explain the purpose of the election and shall give the time and places whereby ballots may be cast. The ballots shall clearly state the question and shall be in such form as the governing body of the several districts may prescribe.

SECTION 7. Results.—The governing body of the several districts shall immediately after the closing of the polls canvass the ballots and declare the results. If a majority of those voting in the election vote in favor of the sale of the system within the respective special purpose district, the governing body of that particular district shall then negotiate with the Commissioners of Public Works of the City of Greenville for the sale of such system. If a majority of those voting in the election vote against the sale of the system, then and in that event, the governing body shall not sell the system as authorized by this act.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R577, H1668)

No. 560

An Act To Authorize And Empower Gantt Water And Sewer District Commission In Greenville County To Issue Not Exceeding Two Hundred Twenty-Five Thousand Dollars Of General Obligation Bonds Of The District, To Prescribe The Terms And Conditions Upon Which The Bonds May Be Issued And Their Proceeds Expended, And To Provide A Tax Levy For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Gantt Water and Sewer District defined.—The Gantt Water and Sewer District as referred to in this act shall mean the district in Greenville County created by Act 855 of the Acts of 1954 and shall consist of the territory mentioned in Section 1 of the act with certain deletions, as prescribed by an act of the General Assembly, approved the 14th day of February, 1961, bearing Ratification No. 59, and Act 430 of 1959.

SECTION 2. Findings of General Assembly.—The General Assembly finds that the Gantt Water and Sewer District, since its creation, has acquired certain water transmission and distribution lines from the owners thereof and has incorporated these lines into the water transmission and distribution system of the district. The Supreme Court of South Carolina, in the case of *Derby Heights, Inc. v. Gantt Water and Sewer District*, decided August 18, 1960, and reported in 116 S. E. 2d at page 13, held that it was the duty and obligation of the district to pay to the owners of these lines just compensation for their taking. The issuance of these bonds is necessary to provide funds to pay for these acquisitions and for other similar acquisitions which have also been made or which may be made in the near future, to pay for the installation of additional water lines and mains and to pay for the installation of fire hydrants.

SECTION 3. Gantt Water and Sewer District may issue bonds.—In order to provide funds for these acquisitions and installations, the Gantt Water and Sewer District Commission may issue, either as a single issue or from time to time as several separate issues, not exceeding two hundred twenty-five thousand dollars of general obligation bonds of Gantt Water and Sewer District.

SECTION 4. Dates—maturity—redemption.—The bonds shall bear such date or dates as the Gantt Water and Sewer District Com-

mission shall determine and any issue or series thereof shall mature in such equal or unequal annual installments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than one year from their date of issue and the last maturing bonds of any issue or series shall mature not later than twenty years from their date. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable semiannually, as the successful bidder at any sale thereof shall name; *provided*, that no rate of interest borne by any bond shall be in excess of five per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal by the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

SECTION 5. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and may be sold at public or private sale in the discretion of the commission. In the event of public sale, notice shall be advertised by at least one publication in the Greenville News and the Columbia State at least ten days prior to the sale. In offering the bonds for sale, the commission may reserve the right to reject any and all bids.

SECTION 6. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 7. Execution.—The bonds shall be executed in the name of Gantt Water and Sewer District by the Chairman of the Gantt Water and Sewer District Commission and the Treasurer of Greenville County, under the seal of the commission. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman and the Treasurer of Greenville County who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or such authentication.

SECTION 8. Payment.—For the payment of the bonds, both principal and interest, as the same respectively mature, the full faith, credit, resources and taxing power of Gantt Water and Sewer District shall be pledged, and there shall be levied and collected by the Auditor and Tax Collector of Greenville County, respectively, an ad valorem tax upon all taxable property in Gantt Water and Sewer District, without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Greenville County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 9. Proceeds.—The proceeds derived from the sale of these bonds shall be deposited with the Treasurer of Greenville County in a special fund separate and distinct from all other funds and shall be expended upon the order of Gantt Water and Sewer District Commission for the following purposes and for no other:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; (b) paying just compensation to the owners of water lines already acquired by Gantt Water and Sewer District Commission for which the court has held Gantt Water and Sewer District liable and for paying just compensation for the acquisition of any other water transmission and distribution lines acquired by the commission from private owners; (c) paying the cost of installing additional water lines and mains; and (d) paying the cost of installing fire hydrants.

SECTION 10. Powers of board.—The power and authority hereby conferred shall be in addition to all presently existing power and authority and not in abrogation thereof.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R610, H1806)

No. 561

An Act To Create Paris Mountain Water And Sewer District In Greenville County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Two Hundred Twenty-Five Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.

Whereas, the General Assembly, after due investigation, has found that the area in Greenville County described below has become populated to an extent that makes it necessary and desirable, for the general health and welfare of the inhabitants thereof, to be served by publicly operated water and sewer systems and that, in addition thereto, the district hereby created should be empowered to make provision for the collection and disposition of garbage and to furnish fire protection for the district; and

Whereas, as a consequence of its findings, the General Assembly has determined to constitute the area as a special purpose district, to provide a governing body for the district, and to empower the governing body as hereinafter provided for in this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Paris Mountain Water and Sewer District created in Greenville County—area.—There is hereby created and established in Greenville County a district to be known as “Paris Mountain Water and Sewer District”, which district shall be a public corporation of perpetual succession, and shall have the functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Greenville County constituting a portion of Paris Mountain lying generally north of Greenville and within a boundary beginning at a point at the center of the intersection of State Park Road and Altamont Drive, and running S. 52 W., continuing along the center of State Park Road 115 feet, more or less, to a point; thence N. 41-30 W. 250 feet to a point; thence S. 48-30 W. 280 feet to a point; thence N. 41-30 W. 397 feet to a point; thence N. 3-45 E. 31.3 feet to a point; thence N. 48-30 E. 457 feet to a point; thence N. 32-45 W. 57 feet to a point; thence N. 43-15

W. 69 feet to a point; thence N. 72 W. 171.5 feet, more or less, to a point; thence N. 13-45 W. 698 feet, more or less, to a point; thence S. 65-25 W. 890 feet, more or less, to a point; thence S. 2-35 E. 651 feet to a point; thence N. 83-05 W. 363.3 feet to a point; thence N. 66 W. 576.3 feet to a point; thence N. 70-30 W. 477 feet to a point; thence N. 22-31 W. 34 feet to a point; thence N. 19-58 W. 63 feet to a point; thence N. 4-56 E. 100 feet to a point; thence N. 17-31 W. 74 feet to a point; thence N. 31-55 E. 338 feet to a point; thence N. 40-10 W. 564 feet to a point; thence N. 32 E. 765 feet to a point; thence N. 10-15 W. 231 feet to a point; thence N. 32 E. 132 feet to a point; thence N. 57-30 W. 368 feet to a point; thence S. 32-15 W. 300 feet to a point; thence N. 21-30 W. 690 feet to a point; thence N. 27-12 E. 300 feet to a point; thence N. 42 W. 2041.3 feet to a point; thence N. 22-24 W. 1641.9 feet to a point; thence S. 63-30 W. 386 feet to a point; thence N. 22 W. 1679 feet to a point; thence N. 89-37 E. 203 feet to a point; thence N. 38-20 W. 299 feet to a point; thence N. 27-15 W. 470.9 feet to a point; thence N. 20-03 W. 177.2 feet to a point; thence N. 7-02 E. 305.5 feet to a point; thence N. 59-55 E. 375.4 feet to the center of Altamont Drive; thence along the center of Altamont Drive S. 49-39 E. 158.7 feet to a point; thence continuing along the center line of Altamont Drive S. 33-18 E. 100 feet; thence continuing along the center line of Altamont Drive S. 53-37 E. 300 feet; thence continuing along the center line of Altamont Drive S. 31-24 E. 100 feet; thence continuing along the center line of Altamont Drive S. 20-08 W. 241 feet; thence continuing along the center line of Altamont Drive S. 2 W. 168 feet; thence continuing along the center line of Altamont Drive S. 12-40 E. 278 feet to a point still in the center of Altamont Drive; thence veering away from Altamont Drive N. 64-17 E. 438 feet; thence S. 32-15 E. 834.4 feet to a point; thence N. 57-45 E. 1092.3 feet to a point; thence N. 4-15 E. 97.4 feet to a point; thence N. 21-2 W. 468 feet to a point; thence N. 49-40 E. 354 feet to a point; thence S. 42-10 E. 398.8 feet to a point; thence S. 69-30 E. 131 feet to a point; thence S. 42-10 E. 243.6 feet to a point; thence S. 5-30 E. 295.3 feet to a point in the center of an unnamed road, which unnamed road runs for a short distance and into Lake Circle; thence along the center line of said unnamed road S. 34 W. 130 feet; thence continuing along the center of said unnamed road S. 72-05 W. 140 feet; thence continuing along the center line of said unnamed road

S. 52-40 W. 142 feet; thence continuing along the center of said unnamed road S. 57-30 W. 80.8 feet; thence continuing along the center of said unnamed road S. 26 W. 168 feet to a point still in the center of said unnamed road; thence veering in an easterly direction away from said unnamed road S. 66-05 E. 436 feet to a point; thence N. 41-05 E. 200 feet to a point; thence S. 23-30 E. 567 feet to a point; thence S. 5-10 E. 236 feet to a point; thence S. 13-30 E. 168 feet to a point; thence S. 40-45 E. 157 feet to a point; thence S. 51-45 W. 200 feet to a point; thence S. 43 E. 265 feet to a point; thence S. 38-12 E. 350 feet to a point; thence S. 3-30 E. 462 feet to a point; thence N. 68-30 E. 400 feet to a point; thence N. 79-30 E. 137 feet to a point; thence S. 26-15 E. 352 feet to a point; thence N. 15-26 W. 1245 feet to a point; thence N. 76-30 E. 1250 feet to a point; thence S. 55-30 E. 330 feet to a point; thence S. 15-30 E. 1234 feet to a point; thence S. 45 W. 1269 feet to a point; thence S. 3-45 W. 240 feet to a point; thence S. 2-34 W. 70 feet to the center line of a proposed drive shown on plat of Section A, Paris Mountain Company property recorded in the R. M. C. Office for Greenville County, S. C., in Plat Book K, at pages 268, 269 and 270, known as Montvue Avenue; thence along the center line of said Montvue Avenue in a curving direction for a distance of 1021 feet, more or less, to a point; thence veering off of said Montvue Avenue in a northerly direction N. 7-22 W. 246 feet; thence S. 66-04 E. 201 feet to a point; thence S. 68-32 E. 108 feet to a point; thence S. 59-44 E. 117 feet to a point; thence S. 54-46 E. 79 feet to a point; thence S. 61-49 E. 124.1 feet to a point; thence S. 61-19 E. 166.3 feet to a point; thence N. 80-41 E. 65.4 feet to a point; thence S. 67-55 E. 166.3 feet to a point; thence S. 63-25 E. 79.6 feet to a point; thence N. 6-26 E. 708.8 feet to a point; thence S. 44 E. 726 feet to a point; thence S. 78-50 E. 1144 feet to a point; thence S. 26-30 W. 570 feet to a point; thence S. 72-10 W. 845 feet to a point; thence S. 16-22 E. 117.2 feet to a point; thence N. 79-25 E. 514.5 feet to a point; thence S. 58-45 E. 279 feet to a point; thence S. 0-30 E. 1366 feet to a point; thence N. 52-07 W. 338 feet to a point; thence S. 41 W. 611 feet to a point; thence S. 68-30 W. 508 feet to a point; thence S. 2-15 E. 787 feet to the center line of State Park Road; thence along the center line of State Park Road S. 72 W. 198 feet to a point still in the center line of State Park Road; thence continuing along the center line of State Park Road, S. 52 W. 200 feet to the point of beginning, all of which will be more

fully shown on a map of Paris Mountain Water and Sewer District, Greenville County, South Carolina, bearing date November 25, 1960, prepared by Piedmont Engineering Service, Greenville, S. C., and recorded in Plat Book YY at page 3, of the Plat Book records for Greenville County, S. C., on file in the Office of the Register of Mesne Conveyance for Greenville County. Reproductions of said plat shall also be filed in the offices of the Auditor and Treasurer for Greenville County prior to the issuance of any bonds pursuant to the authorizations of this act.

SECTION 2. To be governed by a commission—members—elections—terms—vacancies.—Such district shall be operated, managed and governed by a commission, to be known as “Paris Mountain Water and Sewer District Commission.” The commission shall consist of three resident electors of the district to be elected by the qualified electors of the district. The election shall be conducted by the Greenville County Board of Election Commissioners on such date as it may determine after giving public notice by newspaper advertisement of not less than three weeks. Such election shall be conducted under the laws regulating general elections. Entries for such position shall be filed with the election commissioners one week before the date fixed for the election. The term of each commissioner elected shall be for a period of six years, and until his successor is elected and qualified, except of the members first elected, one shall serve for a term of two years, one shall serve for a term of four years and one shall serve for a term of six years. After their election the commissioners shall meet and determine by lot the term to be served by each. Any vacancy shall be filled by election in the manner provided herein. In the event of a vacancy where the remainder of the term to be filled is less than one year, then such vacancy shall be filled by appointment made by the Governor upon the recommendation of the majority of the Legislative Delegation of Greenville County, including the Senator.

SECTION 3. Powers and duties.—There is committed to the district the functions of constructing, operating, maintaining, improving and extending a water distribution system, a sewer system, a system for the collection and disposition of garbage and a system for fire protection within the district. To that end, the commission shall be empowered, as provided below, to:

1. Have perpetual succession.
2. Sue and be sued.

3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
5. Deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. Prescribe regulations, requiring persons who shall be residents of the district, to make use of any water or sewer system which the district shall place in operation, and to enable the commission to fully discharge the duties placed upon it and to protect all property acquired by it. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, and a certified copy thereof has been recorded in the Register of Mesne Conveyance Office for Greenville County, and additional copies have been posted in the courthouse for Greenville County and in at least two public places in the district, and notice of the adoption of such regulations published in, and at least once for three successive weeks, a newspaper published in and having general circulation in Greenville County. Such notice shall specify, in brief, the scope of the regulations and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and such notice shall appear in a newspaper published in and having general circulation in Greenville County not less than seven days prior to the occasion fixed for the holding of such meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water and sewer facilities, shall not be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act.
7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
8. Build, construct, operate and maintain water lines and water mains throughout the district and all apparatus necessary for the proper functioning of the same, and from time to time enlarge and extend the same.
9. Build, construct, operate and maintain a system for the collection and disposal of sewage, including the construction of sewer mains and sewer lines, and from time to time enlarge and extend the same.

10. Establish, operate and maintain a system for the collection and disposal of garbage.

11. Establish, operate and maintain a system of fire protection.

12. Purchase, or otherwise acquire, a supply of water for its water distribution system and to that end build, construct, maintain and operate water tanks, reservoirs, pumps and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale.

13. Distribute and sell water on such terms and rates as it shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system.

14. Place into effect and revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system.

15. Make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

16. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

17. Appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

18. Make contracts for construction, engineering and other services, with or without competitive bidding.

19. Issue, under the conditions prescribed by paragraph 21 of this section, *infra*, general obligation bonds of the district in the amount of not exceeding two hundred twenty-five thousand dollars.

20. In addition to the powers given by paragraph 19 of this section, *supra*, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues

derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of its water system, its sewer system, or both, or such sum as may be needed to pay the cost of any extension, addition and improvement to the water system, the sewer system, or both. If the method of financing authorized by this paragraph be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Greenville County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility as such net revenues may be defined by the commission.

(b) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the revenue-producing facility, whose revenues

are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

21. The commission, on behalf of the district, shall be empowered to issue not exceeding two hundred twenty-five thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the costs of constructing and establishing a water system or sewer system, or both, in the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such water or sewer system, or both, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and such other expenses as may be necessary or incident to the construction of the water or sewer system, or both, and the placing of the same in operation. General obligation bonds shall be issued only in the event the

election required by paragraph 20 shall result favorably. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the district. The words "net revenues" as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facility, whose revenues shall be pledged. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue, or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(d) Such bonds shall be executed in the name of Paris Mountain Water and Sewer District by the Chairman of the Paris Mountain Water and Sewer District Commission and by the Treasurer of Greenville County under the seal of the district. The coupons at-

tached to such bonds may be authenticated by the facsimile signatures of the chairman and the Treasurer of Greenville County who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers occurring after such execution or authentication.

(e) There shall be irrevocably pledged for the payment of the bonds and interest, as the same mature, the full faith, credit and resources of the district and the Auditor and Treasurer of Greenville County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event such net revenues as shall be available shall be delivered to the Treasurer of Greenville County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others except that any premium received shall be deposited with the Treasurer of Greenville County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenville County to the first installment of interest becoming due on the bonds. Neither the

purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

22. Make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by paragraph 21, supra, of this section. The election shall be conducted by the commissioners of election for Greenville County who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as the same are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the primary purpose or purposes for which the proceeds of the bond issue are to be expended and with the blank set forth therein appropriately completed. Such question shall be substantially in the following form:

“Shall the Paris Mountain Water and Sewer District issue bonds in a sum not exceeding two hundred twenty-five thousand dollars, the proceeds of which shall be used to construct and establish a water and sewer system in the district?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word “NO”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Greenville County, who shall declare the result of the election. If the commissioners determine that a majority of the voters voting in the election voted in favor of the issuance of bonds the bonds, or any part thereof, may be issued as provided in paragraph 21, supra, of this section; but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued under

the provisions of paragraph 21, *supra*, of this section. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

23. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

24. The commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the non-payment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

SECTION 4. Revenues.—All revenues derived by the commission from the operation of any revenue-producing facility, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the commission from time to time for purposes germane to the functions of the district.

SECTION 5. Rates not subject to state regulation.—The rates charged for services furnished by any revenue-producing facility of the district, as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

SECTION 6. Exempt from taxes.—The property of and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof direct or indirect.

SECTION 7. Obligations not to be impaired.—So long as the district shall be indebted to any person, firm or corporation on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 8. Unlawful acts—penalties.—It shall be unlawful for any person to wilfully injure or destroy or in any manner hurt, damage, tamper with, or impair any facility of the district, or any part of same, or any apparatus or equipment incident thereto or used or useful in the operation of such facility, or to obtain water from its water distribution system, except in accordance with the regulations promulgated by the commission. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days, at the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Eminent domain.—The power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain.

SECTION 10. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R647, H1961)

No. 562

An Act To Validate Certain Expenditures Made By Greenville County For County Purposes During The Calendar Years 1960 And 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County expenditures validated.—The following sums which have been expended by Greenville County for county purposes upon approval of the county legislative delegation, such expenditures and approval having been made during the calendar

years 1960 and 1961, are hereby validated and declared to be legal in all respects.

ITEM 1: SUPERVISOR

July 14, 1960—Uniforms for Guards	\$ 3,000.00
July 20, 1960—Salary of Inspector	4,800.00
Nov. 21, 1960—Equipment, etc. Garbage Dump	20,000.00
March 4, 1961—Food & Clothing for prisoners	35,000.00

ITEM 2: COUNTY BOARD OF COMMISSIONERS

June 23, 1960—Salary, Charity Investigator (From 7 Mill Levy)	\$ 5,920.56
Travel 7¢ per mile (From 7 Mill Levy)	
Repairs Office in County Office Bldg. ...	700.00
Office supplies Charity Investigator	500.00
Dec. 14, 1960—Supplies Kenneth Bleckley, (City Block Book work, Spec.)	75.00
New Postage Machine	860.33
Jan. 31, 1961—Equipment Block Book Office	6,094.10

ITEM 3A: COUNTY JAIL

July 20, 1960—Clothing for Jailer	\$ 420.00
Jan. 31, 1961—Salary Clerk at Jail	1,241.90

ITEM 3B: COUNTY HOME

ITEM 3B5: NURSING HOME

ITEM 4: COURTS

June 23, 1960—Acct'g Machine Domestic Ct.	\$ 11,500.00
Transportation Minor Child	150.00
Dec. 14, 1960—Revolving Fund	1,000.00
Add'l Salaries, Clerk	200.00
Add'l Salaries, Receptionist	300.00

ITEM 5: HEALTH DEPARTMENT

ITEM 6: SHERIFF

Sept. 13, 1960—Salary 7 add'l Deputies	\$ 20,962.25
Clothing add'l Deputies	2,205.00
Gasoline (by Tank)	2,700.00
Car Rentals	7,070.76
Radios, etc.	3,070.00
Car Insurance	491.04
Prem. Bonds New Deputies	175.00
Jan. 31, 1961—Finger Printing Equipment	500.00

ITEM 7: CLERK

ITEM 8: PROBATE JUDGE

ITEM 14: AUDITOR

Sept. 13, 1960—Increase mileage to Maximum\$ 500.00

Dec. 14, 1960—Third Clerk—Jan.-Feb.-Mar. 657.51

ITEM 15: TAX COLLECTOR

Nov. 21, 1960—Add'l Travel—4 Coll.\$ 1,680.00

Supplies—Service to Machines 550.00

ITEM 16: MAGISTRATES

June 23, 1960—Equip. Travelers Rest Magistrate\$ 850.00

March 4, 1961—Supplies Fountain Inn Magistrate 104.55

ITEM 17: MEDICAL, ETC.

July 11, 1960—Salary—Mental Health\$ 5,824.00

Sept. 13, 1960—Medical Bills—Convicts 1,894.79

Dec. 14, 1960—Medical Bills—Convicts 697.03

Feb. 28, 1961—Medical Bills—Convicts 234.97

ITEM 19: FARM DEMONSTRATION

ITEM 20: FORESTRY

ITEM 21: D.P.W.

ITEM 24: REHABILITATION CAMP

March 4, 1961—Survey for sewer line\$ 500.00

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R648, H1965)

No. 563

An Act To Authorize The Governing Body Of Each Water And Sewer District Of Greenville County To Employ An Attorney, And To Divest The County Attorney Of Any Responsibility Relative To Such District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville County water and sewer districts may employ attorneys.—The governing body of each water and sewer district of Greenville County is authorized to employ an attorney of its choice to represent the district.

If the governing body of any of the water or sewer districts employs an attorney, the county attorney shall be divested of all duties and responsibilities relative to such district.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R661, H1939)

No. 564

An Act To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues And To Direct And Control The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding four and one-quarter mills, of all the taxable property of the county, and such revenues therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1961, and ending June 30, 1962.

SECTION 2. Appropriations:

Item 1. County Supervisor

1 Supervisor	\$ 5,920.44
2 Clerks	7,013.28
4 Camp Superintendents	15,120.00

4 Assistant Camp Superintendents	13,440.00
1 Bridge Superintendent	3,780.00
1 Surface Treatment Superintendent	3,780.00
1 Quartermaster ..	3,000.00
4 Day Wardens	9,840.00
4 Night Wardens	9,600.00
1 Civil Engineer	3,000.00
1 Farmer	2,520.00
1 Tire Man	3,000.00
1 Gas Man	3,000.00
1 Health Department Guard	2,520.00
1 Head Mechanic	3,360.00
2 Mechanics, 1 diesel, 1 gasoline	6,000.00
1 Welder	3,000.00
5 Truck Drivers	12,300.00
6 Motor Grader Operators	18,000.00
2 Shovel Operators	6,000.00
1 Distributor Operator	3,000.00
5 Travel Loader Operators	15,000.00
1 Front End Loader Operator	3,000.00
5 Travel Loader Guards	12,600.00
8 Patch Guards, etc.	20,160.00
4 Road Shoulder Guards	10,080.00
10 Pipe Guards	25,200.00
2 Spotting Guards (S. Tr.)	5,040.00
2 Bridge Guards	5,400.00
1 Paint Guard	2,520.00
1 Shot Gun Guard	2,400.00
1 Plumber Guard	2,520.00
1 Night Relief Warden	2,820.00
1 Inspector	4,800.00
Total	\$248,733.72

FROM GENERAL FUND

1-C Maintenance of buildings, appliances, janitors' supplies, office supplies, heating, lights, power and water	\$ 35,000.00
1-E Convict maintenance (Food and clothing)	100,000.00
1-J Purchase Machinery and Trucks	70,000.00

1-G Farming Supplies	5,000.00
Uniforms for Guards	5,000.00
1-A Garbage dump superintendent	3,360.00
Operator	3,000.00
Guard	2,700.00
<hr/>	
Total from General Fund	\$224,060.00
<hr/>	
Total Item 1	\$472,793.72

FROM SIX MILL ROAD LEVY

A-1 Gasoline, oil, diesel, fuel, lubricants	\$ 60,000.00
A-2 Maintenance of equipment (tools, tires, batteries, blades, cables, replacement parts)	90,479.00
<hr/>	
Subtotal	150,479.00
B. Bridges and large culverts	66,000.00
<hr/>	

Total from Six Mill Road Levy \$216,479.00

Provided, that the foregoing total in the amount of \$216,479.00 shall not be included in the Grand Total as that amount is from the Six Mill Road Levy.

Provided, the Supervisor of the County shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the expenditure of any sum in excess of the periodic allowances above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the

duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners. *Provided*, that no monies from the six mill road levy shall be spent for salaries.

Provided, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2. County Board of Commissioners and Related Expenses:

A. Salaries and Office Expenses:

A-1 Secretary to Commissioners	\$ 4,620.00
2 Comptroller	4,620.00
3 Accounting Machine Operator	4,620.00
4 Superintendent of Buildings	4,268.00
5 Secretary to Delegation	858.00
6 Block Book Engineer	4,421.34
7 Asst. Block Book Engineer	3,887.66
8 Asst. Block Book Engineer	3,877.66
9 Asst. Block Book Engineer	3,887.66
10 Asst. Block Book Engineer	3,887.66
11 Draftsmen (6) @ \$302.50 per month each	21,780.00
12 Special Engineer	3,484.80
13 Clerk, Block Book Department	2,979.00
14 Clerk, Block Book Engineer Department	2,629.94
15 Tax Clerk—City Block Book	1,753.22
16 Office Building Elevator Operator	2,474.47
17 Janitors' salaries (includes two from Health Department)	29,600.00
18 I.B.M. Operators, Salaries	20,037.60
19 Night Superintendent of Buildings	3,120.00
Total	<hr/> \$126,807.01
20 Travel for Superintendent of Buildings	330.00
21 Travel for Block Book Engineer	1,819.92
22 Travel for Asst. Block Book Engineer	1,819.92
23 Travel for Asst. Block Book Engineer	1,200.00

24 Travel for Asst. Block Book Engineer	660.00
25 Travel for Asst. Block Book Engineer	1,200.00
26 Travel for Draftsmen (2) @ \$600.00 each	1,200.00
Total	8,229.84
2-B Office Supplies, Commissioners	1,750.00
2-B-1 Stamps for Delegation Secretary	25.00
2-C Compensation, County Board of Commissioners	3,000.00
Travel to and from Official meetings	1,000.00
2-C-1 Supplies—Block Book Department	1,000.00
2-C-2 Lights and Power	16,600.00
2-C-3 Fuel	7,000.00
2-C-4 Water	900.00
2-C-5 Insurance on Buildings	5,500.00
2-C-6 Janitors' Supplies	6,500.00
2-C-7 Elevator Upkeep	2,000.00
2-C-8 Courthouse Repairs	4,500.00
2-C-9 County Audits	5,000.00
2-C-10 Lunch Room Supplies—Freight	1,000.00
2-C-11 Bond Premiums—all officers except Sheriff	5,000.00
2-D Telephone and Telegraph	13,000.00
2-E Legal Advertising	200.00
2-F Postage all offices	10,500.00
2-G Workmen's Compensation	12,000.00
2-H State Retirement and Social Security	80,000.00
2-I Contractual Service—I.B.M.	14,774.92
2-J Supplies & Printing—I.B.M.	2,340.00
Total	193,589.92
Total Item 2	\$328,626.77
Item 3-A County Jail:	
1 Jailer, Salary	\$ 4,000.00
2 Assistant Jailer (5) @ \$3,300.00 each	16,500.00
3 Second Clerk-Bookkeeper	2,980.56
Total	23,480.56
4 Clothing Allowance at \$35.00 per month each	
for each jailer	2,520.00

5 Food, Fuel, etc.	22,000.00
Total	24,520.00
Total Item 3-A	\$ 48,000.56
Item 3-B County Home :	
1 Superintendent, Salary	\$ 3,420.24
2 Matron	2,976.60
3 Aide	1,452.00
4 Aide	1,848.00
5 Aide	1,848.00
6 Travel for Superintendent	120.00
Total	11,664.84
Food, Fuel, Supplies, etc.	30,952.23
Total	30,952.23
<i>Provided</i> , that the monies appropriated by separate act for the operation of the County Nursing Home be administered by the County Home Board. <i>Provided</i> , further, that the County Home Board shall submit a budget for the Nursing Home to the Greenville County Legislative Delegation for its approval. <i>Provided</i> , further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Nursing Home.	
Total Item 3-B	\$ 42,617.07
Item 3-E Charitable Institutions :	
1 Children's Center	\$ 4,000.00
2 Greenville Rescue Mission	1,200.00
3 Salvation Army, twelve monthly installments ..	1,000.00
4 Greer Relief Agency	300.00
5 Emergency Maternity Shelter	27,500.00
6 Civic Art and Cultural Center	5,000.00
7 Fountain Inn Relief Agency	300.00
8 Civil Defense	7,500.00
9 U.S.O. Housing Desk	4,200.00
10 Mental Health Clinic	17,972.00

11 Biologicals for Indigents 7,500.00

Total Item 3-E \$ 76,472.00

Provided, that the State Mental Health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be used for the purpose of improving the services at the Greenville Mental Hygiene Clinic.

Provided, funds hereinabove appropriated for Biologicals for Indigents shall be expended only upon approval or certification of one of the following agencies: (1) Department of Public Welfare, (2) Certification by proper authorities of the General Hospital, and shall be used in behalf of indigents not admitted to the General Hospital as patients and in behalf of convicts.

Provided, however, that the retirement eligibility for Jack Wilson shall not be affected and for purposes of retirement he shall be deemed to continue as an employee of Greenville County, but not an employee of Greenville Hospital.

Provided, further, that the Charity Investigator shall be paid from the same source as he is now paid.

Item 4. Court Operation Expenses:

A. Salaries:

A-1 Bailiff	\$ 1,927.60
2 Assistant Bailiff	1,665.58
3 County Judge	10,285.00
4 Solicitor, County Court	5,595.18
5 County Court Reporter	3,630.00
6 Stenographer to Solicitor	2,279.27
7 Stenographer to Circuit Solicitor	2,629.94
8 Stenographer to Coroner	1,320.00
9 Stenographer to Circuit Judge	1,205.16
10 Circuit Court Stenographer	292.22
11 Criminal Investigator—Circuit and County Court	3,630.00
12 Supplement salary—Stenographer, Parole Officer	880.04

13 Assistant Solicitor	3,600.00
14 Assistant Circuit Court Stenographer	3,600.00
15 Law Library	1,000.00
<hr/>	
Total	43,539.99
16 Travel—Criminal Investigator	1,650.00
<hr/>	
Total	1,650.00
4-B Jurors—All Courts	36,733.48
4-B-1 Office Supplies—County Court	250.00
4-B-2 Supplies Circuit Court Stenographer	1,000.00
4-B-3 Office Supplies Circuit Court Solicitor	450.00
<hr/>	
Total	38,433.48
<hr/>	
Total Item 4	\$ 83,623.47

Provided, that the criminal investigator shall be a full time employee and charged with the duty of assisting the solicitors of the circuit and County Court with the investigation and preparation of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the Grand Jury with respect to such investigations as said body shall require. The appointment of said investigator shall be made by the County Delegation upon the recommendation of the Circuit and County Solicitors.

Provided, that the assistant solicitor shall be employed by the circuit solicitor and the County Court solicitor and shall serve under their direction.

Provided, that the money hereinabove appropriated for supplies for the Circuit Court stenographer shall be expended upon the written authorization of the Resident Circuit Judge.

Item 4-C Juvenile and Domestic Relations Court:

1 Salaries and Travel, Court Personnel	\$ 64,771.22
2 Detention Homes Expenses	9,110.00
3 Office Supplies and Expenses	2,000.00

4 Special Mileage Expenses	800.00
5 Judge's Revolving Fund	1,000.00

Total, Item 4-C \$ 77,681.22

Provided, that the above appropriation shall be spent on approval by the Juvenile and Domestic Relations Board.

Item 5. County Health Department Salaries, Supplies and Vital Statistics	\$116,140.90
--	--------------

Total, Item 5 \$116,140.90

Provided, that the monies hereinabove appropriated shall be spent upon the written approval of the Legislative Delegation.

Item 6. Sheriff and other Law Enforcement:

A-1 Sheriff	\$ 5,920.53
2 Chief Deputy	4,146.91
3 Radio Operator	4,356.00
4 Clerk	2,541.00
5 Radio Repairman	2,013.00
6 Clerk	2,831.40
7 Bookkeeper	3,630.00
8 Deputies, 33 @ \$332.75 per month	131,769.00
9 Sunday Operator	363.00
10 Special Deputy (Poe Mill)	245.38
11 Special Deputy (Renfrew)	245.38
12 Special Deputy (Sou. Bleachery)	245.38
13 Special Deputy (Union Bleachery)	245.38
14 Special Deputy (Brandon)	1,139.56
15 Special Deputy (Woodside)	245.38
16 Special Deputy (Sans Souci)	1,139.56
17 Special Deputy (Piedmont)	245.38
18 Special Deputy (Sou. Worsted)	245.38
19 Special Deputy (Poinsett)	245.38
20 Special Deputy (North Greenville)	1,139.56
21 Special Deputy (Conestee)	264.00
22 Special Deputy (East View)	1,116.46
23 Special Deputy (Rehobeth)	918.46
24 Special Deputy (Simpsonville)	918.46
25 Special Deputy (Travelers Rest)	1,139.56

26 Special Deputy (Taylors)	1,139.56
27 Special Deputy (Slater-Marietta)	1,576.87
28 Special Deputy (City View)	1,139.56
29 Special Deputy (Fork Shoals)	1,139.56
30 Special Deputy (Judson-Welcome)	1,163.84
31 Special Deputy (Berea)	918.46
32 Special Deputy (Dunklin)	1,139.56
33 Special Deputy (Greer)	245.38
34 Special Deputy, Town of Mauldin	1,139.56
35 Special Deputy, Town of City View	1,139.56
36 Special Deputy, Town of Wade Hampton	1,200.00
37 Special Deputy (Mauldin)	918.46
38 Special Deputy (Laurel Creek—9 months)	495.00
39 Special Deputy (Park Place)	1,139.56
40 Special Deputy (Pelham)	430.72
41 Special Deputy (East and West Gantt)	918.46

Total	183,153.61
-------------	------------

1 Travel, Gas, Oil, Car Repairs—Sheriff's auto- mobile	1,905.00
2 Travel for Chief Deputy	1,650.00

Total	3,555.00
-------------	----------

6-B Gasoline for 15 rental cars	18,000.00
6-B-1 Rental on 15 cars	38,365.00
6-B-2 Fingerprinting Equipment	1,500.00
6-B-3 Ammunition, Guns, etc.	800.00
6-B-4 Evidence Procurement Fund	750.00
6-B-5 Radio Maintenance and Phone	1,420.00
6-B-6 Office Supplies	2,500.00
6-D Military	3,150.00
6-E Insurance	3,667.80
6-F Transportation of Prisoners	2,500.00
6-G Premium on officers' bonds, including insurance on Sheriff's and Chief Deputy's automobiles ...	975.00
6-H Clothing allowance, 33 Deputies @ \$35.00 per month each	13,860.00
Maintenance on confiscated cars	1,500.00
Special Deputy relief, 2 @ \$96.99 per month ..	2,327.76

Special Deputy relief	608.38
-----------------------------	--------

Total	91,923.94
-------------	-----------

Total, Item 6	\$278,632.55
---------------------	--------------

Provided, that unincorporated towns and outlying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and Radio Patrol be constantly maintained in said zones, rather than attempting county-wide operation from the Sheriff's office, and, *provided*, that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

Provided, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the Circuit or County Solicitor. *Provided*, further, if possible return of State prisoners shall be made without cost to the county.

Item 7. Clerk of Court

A-1 Clerk of Court, Salary	\$ 5,920.53
2 Deputy Clerk, Salary	3,506.58
3 Second Clerk, Salary	2,980.59
4 Third Clerk, Salary	2,629.94
5 Temporary Clerk, Salary	550.00

Total	15,587.64
-------------	-----------

7-B Court Journals and Calendars	1,000.00
--	----------

7-C Printing Supplies	350.00
-----------------------------	--------

7-D Office Equipment	850.00
----------------------------	--------

Total	2,200.00
-------------	----------

Total Item 7	\$ 17,787.64
--------------------	--------------

Item 8. Probate Judge

A-1 Probate Judge, Salary	\$ 6,555.78
---------------------------------	-------------

2 Clerk to Probate Judge, Salary	3,506.58
--	----------

3 Second Clerk, Salary	2,980.59
------------------------------	----------

4 Third Clerk, Salary	2,629.94
5 Third Clerk, Salary	2,629.94
6 Third Clerk, Salary	2,629.94
Total	20,932.77
8-B Lunacy Examinations	2,500.00
8-C Office Supplies	1,700.00
8-D Office Equipment	150.00
8-E Transportation of Mental Patients	1,800.00
Total	6,150.00
Total Item 8	\$ 27,082.77
Item 9. Delegation Contingent Fund	
B Special appropriations by Delegation	\$ 15,000.00
Total Item 9	\$ 15,000.00
Item 10. County Treasurer	
A-1 County Treasurer, Salary	\$ 2,422.56
2 First Clerk	3,506.58
3 Second Clerk	2,980.59
Total	8,909.73
10-B Office Supplies	600.00
Total	600.00
Total Item 10	\$ 9,509.73
Item 11. Master in Equity	
A-1 Master, Salary	\$ 6,809.88
2 Clerk to Master	3,506.58
3 Stenographer	2,629.94
Total	12,946.40
11-B Supplies	300.00
Total	300.00
Total Item 11	\$ 13,246.40

Item 12. Coroner

A-1 Coroner, Salary	\$ 3,155.68
---------------------------	-------------

Total	3,155.68
-------------	----------

12-B Office Supplies	250.00
----------------------------	--------

Gas, Oil and car repairs	1,650.00
--------------------------------	----------

Total	1,900.00
-------------	----------

Total Item 12	\$ 5,055.68
---------------------	-------------

Item 13. Register of Mesne Conveyance

A-1 Register, Salary	\$ 5,920.53
----------------------------	-------------

2 First Clerk, Salary	3,506.58
-----------------------------	----------

3 Second Clerk, Salary	2,980.59
------------------------------	----------

4 Second Clerk, Salary	2,980.59
------------------------------	----------

5 Third Clerk, Salary	2,629.94
-----------------------------	----------

6 Third Clerk, Salary	2,629.94
-----------------------------	----------

7 Third Clerk, Salary	2,629.94
-----------------------------	----------

8 Third Clerk, Salary	2,629.94
-----------------------------	----------

9 Operator, photo-record machine, salary	3,382.06
--	----------

10 Assistant machine operator	2,980.00
-------------------------------------	----------

11 Temporary Clerk	600.00
--------------------------	--------

Total	32,870.11
-------------	-----------

B-1 Photo-record machine supplies	13,000.00
---	-----------

2 Office Supplies and Equipment	6,500.00
---------------------------------------	----------

Total	19,500.00
-------------	-----------

Total Item 13	\$ 52,370.11
---------------------	--------------

Provided, that the Register of Mesne Conveyance in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

Provided, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 14. County Auditor

A-1 Auditor, Salary	\$ 2,422.56
2 First Clerk, Salary	3,506.58
3 Second Clerks (2), Salaries	5,961.18
4 Third Clerks (3) @ \$2,629.94	7,889.82
5 Tax Coordinator, Salary	4,950.00
6 Assistant Tax Coordinator, Salary	3,087.66
7 Extra Clerk	657.48
8 Supplies, Tax Coordinator	500.00
<hr/>	
Total	28,975.28
14-B Office Supplies—Auditor	1,150.00
14-A Boards of Equalization and Assessors	7,050.00
14-D Tax Coordinator, Travel @ 7¢ per mile, not to exceed	1,000.00
14-A-2 Assistant Tax Coordinator, Travel	1,000.00
14-A-3 Planning and zoning	5,000.00
<hr/>	
Total	15,200.00

Total Item 14\$ 44,175.28

Provided, that the County Board of Commissioners shall have complete control and direction of I.B.M. system and its personnel, equipment and supplies.

Item 15. Tax Collector's Office

A-1 Tax Collector, Salary	\$ 4,650.03
2 First Clerk, Salary	3,506.58
3 Second Clerk, Salary	2,980.59
4 Third Clerks (2), Salaries	5,259.88
5 Assistant Collectors (4) @ \$2,804.78 each	11,219.12
6 Extra Help	1,650.00
<hr/>	
Total	29,266.20
B-1 Tax Collector—Travel	1,260.00
2 Assistant collectors, Travel, \$1,320.00 each ...	6,960.00
<hr/>	
Total	8,220.00

C-1 Office Supplies	1,500.00
Total	1,500.00
Total Item 15	\$ 38,986.20
Item 16. Magistrates and Constables	
A-1 City Magistrate No. 1, Salary	\$ 4,950.00
2 City Magistrate No. 2, Salary	3,960.00
3 Township Magistrate, Salary	2,640.00
4 Bates Township Magistrate, Salary	2,640.00
5 Fairview Township Magistrate, Salary	1,485.00
6 Highland Township Magistrate, Salary	330.00
7 Grove Township Magistrate, Salary	330.00
8 Gantt Township Magistrate, Salary	330.00
9 Dunklin Township Magistrate, Salary	330.00
10 Cleveland Township Magistrate, Salary	330.00
11 O'Neal Township Magistrate, Salary	632.50
12 Oaklawn Township Magistrate, Salary	330.00
13 Butler Township Magistrate, Salary	330.00
14 Paris Mountain Township Magistrate, Salary ..	330.00
15 Town of Piedmont Magistrate, Salary	1,722.50
16 Glassy Mountain Township Magistrate, Salary ..	330.00
17 Austin Township Magistrate, Salary	1,485.00
18 Chick Springs Township Magistrate, Salary ..	2,200.00
19 Town of Greer Magistrate, Salary	3,080.00
20 Fork Shoals Magistrate, Salary	330.00
21 Saluda Township Magistrate, Salary	330.00
22 Town of Batesville Magistrate, Salary	506.00
23 Special Sunday and Night Magistrate, Salary ..	2,200.00
24 Laurens Road Magistrate, Salary	495.00
Total	31,626.00
25 Constable, City Magistrate No. 1, Salary	2,805.00
26 Constable, City Magistrate No. 2, Salary	2,805.00
27 Constable, Township Magistrate, Salary	1,650.00
28 Constable, Fairview Magistrate, Salary	770.00
29 Highland Township Magistrate, Constable, Salary	275.00
30 Constable, Bates Township Magistrate, Salary ..	935.00
31 Constable, Grove Township, Salary	275.00
32 Constable, Gantt Township, Salary	275.00

33 Constable, Dunklin Township, Salary	275.00
34 Constable, Cleveland Township, Salary	275.00
35 Constable, O'Neal Township, Salary	605.00
36 Constable, Oaklawn Township, Salary	275.00
37 Constable, Butler Township, Salary	275.00
38 Constable, Laurens Road, Salary	275.00
39 Constable, Paris Mountain Township, Salary ..	275.00
40 Constable, Town of Piedmont, Salary	1,237.50
41 Constable, Glassy Mountain Township, Salary .	275.00
42 Constable, Austin Township, Salary	770.00
43 Constable, Chick Springs Township, Salary	1,237.50
44 Constable, Town of Greer, Salary	2,337.50
45 Constable, Fork Shoals, Salary	275.00
46 Constable, Saluda Township, Salary	275.00
<hr/>	
Total	18,452.50
47 Stenographer to City Magistrate No. 1, Salary .	2,980.56
48 Stenographer to City Magistrate No. 2, Salary .	2,980.56
49 Clerk to Township Magistrate, Salary	1,056.00
50 Clerk to Bates Township Magistrate, Salary ...	1,760.00
51 Clerk to Chick Springs Township Magistrate, Salary	2,629.94
52 Clerk to Greer Magistrate, Salary	1,341.25
<hr/>	
Total	12,748.31
B-1 Office Supplies, City Magistrate No. 1	250.00
B-2 Office Supplies, City Magistrate No. 2	250.00
B-3 Office Supplies, all other Magistrates (To in- clude Warrant Books)	1,500.00
B-4 Office Supplies, Town of Piedmont Magistrate	300.00
B-5 Rent, Chick Springs Magistrate	1,800.00
B-6 Rent, Township Magistrate	420.00
B-7 Rent, Bates Township Magistrate	800.00
B-8 Rent, Town of Piedmont Magistrate	420.00
B-9 Rent, Town of Greer Magistrate	300.00
B-10 Chick Springs Magistrate, Supplies	600.00
B-11 Rent, West Greenville Magistrate	400.00
<hr/>	
Total	7,040.00
<hr/>	
Total Item 16	\$ 69,866.81

Provided, that each magistrate shall fully comply with Section 4 of Act No. 837 of the 1956 Acts and Joint Resolutions of the General Assembly, as amended in 1958, relating to the keeping of records and display signs, etc.

Item 17. County Physician and Attorney:

A-1 Physician for Post Mortems, Salary	\$ 4,000.00
2 County Physician, Salary	3,300.00
3 County Dentist, Salary	3,000.00
4 County Attorney, Salary	2,922.15
5 County Surgeon, Salary	3,000.00

Total	16,222.15
-------------	-----------

A-2 County Physician, Travel	2,000.00
4 County Attorney, Rent and Expense	1,800.00
Medical Supplies for Convicts	4,500.00

Total	8,300.00
-------------	----------

Total Item 17	\$ 24,522.15
---------------------	--------------

Provided, the appropriation for medical supplies for convicts shall be spent on certification of the County Physician.

Item 19. Farm Demonstration:

A-1 Farm Agent, Salary	\$ 1,139.64
2 Asst. Farm Agent, Salary	653.40
3 Asst. Farm Agent, Salary	319.44
4 Home Demonstration Agent—White, Salary ..	1,251.23
5 Asst. Home Demonstration, Salary	363.00
6 Home Demonstration Agent—Colored, Salary ..	1,081.19
7 Farm Agent—Colored, Salary	435.60
8 Stenographer—Colored, Salary	1,800.00
9 Stenographer—Salary	609.84
10 Stenographer to Farm Demonstration Agent, Salary	964.32

Total	8,617.66
-------------	----------

B-11 Demonstration Supplies	125.00
12 Stationery and Supplies, Demonstration Agent ..	50.00
13 Rent, Heat, Telephone, Colored Agent	1,100.00

14 4-H Club—Boys	100.00
15 4-H Club—Girls	100.00
16 4-H Club—Negro	150.00
17 Future Farmers of America	100.00
18 Miscellaneous Expense	120.00
19 Telephone, Home Demonstration Agent	170.00
20 Greater Greenville Sanitation—to destroy, haul and dispose of dead animals	4,500.00
21 Cooperative Artificial Breeding Association ...	2,400.00
22 Demonstration material, Negro Agricultural Agent	50.00
23 Farmer's Wholesale Market	7,000.00
Total	15,965.00
Total Item 19	\$ 24,582.66
Item 20. County Forestry Board	
B-1 Clerk—8 months @ \$27.83 per month, 4 months @ \$148.99	\$ 818.60
2 Ranger and 3 Wardens @ \$519.73 each, Travel and Expense	2,078.88
3 Towermen (4) @ \$69.36, Travel and Expense	277.44
Total Item 20	\$ 3,174.92
Item 21. Department of Public Welfare	
A-1 Director, Salary Supplement	\$ 1,143.45
2 Case Workers (22) @ \$19.05 each per month, Salary Supplement	5,029.20
3 Clerks (8) @ \$19.05 each per month, Salary Supplement	1,828.80
4 Statistical Clerk, Salary Supplement	571.83
5 Workers (3) @ \$19.05 each per month, Salary Supplement	685.80
6 Supervisors (4) @ \$47.64 each per month, Salary Supplement	2,286.72
7 Child Welfare Clerk, Salary Supplement	228.69
8 Additional Child Worker	3,778.10
Total	15,552.59

B-9 Welfare Workers, Mileage (4) @ \$33.00 per month each	1,584.00
10 Additional Child Worker, Mileage	270.00
11 Chairman of Board, Mileage and Expense	330.00
12 Telephone and Incidentals	1,650.00
13 Emergency Relief Purposes	2,500.00
14 Foster Home Care—D.P.W.	23,600.00
15 Miscellaneous	700.00
Total	30,634.00
Total Item 21	\$ 46,186.59
Item 22. Rehabilitation Camp	
A. Salaries	\$ 33,321.00
B. Inmate Maintenance	18,000.00
C. Camp Maintenance	10,330.00
D. Work Program	48,206.00
E. Permanent Improvements	5,000.00
Total Item 22	\$114,857.00
<i>Provided</i> , that the budget of the Rehabilitation Camp shall be approved by the Greenville County Legislative Delegation.	
GRAND TOTAL	\$2,030,992.20
Anticipated approximate revenue indirect levy for 1961-62 applicable to General County Purposes approximately	\$1,149,677.58
Approximate revenue to be raised by levy for General County Purposes	\$881,314.62

SECTION 3. Subitems of subdivisions under Section 2, Item 1 and Item 3 of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or subdivision such diversions to be made by the County Board of Commissioners, and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided*, the total appropriation of Item 1 be not thereby exceeded; *provided*, further, that like diversion in other items under Section

2 may be likewise made where no salary or fixed charge is thereby affected.

SECTION 4. Item 10 entitled "Contingent Fund" of fifteen thousand dollars hereinabove referred to shall be expended in the discretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided*, that notices of any meetings shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

SECTION 5. The amount hereinabove appropriated as salary for the county auditor and county treasurer are estimates only. The exact amount to be paid by this act appropriated as salary for each of said officers is a sufficient sum to make a total of five thousand nine hundred twenty dollars and fifty-three cents when added to the amount paid by the State.

SECTION 6. Members of the Board of Assessors for Greenville County except the members of the Special Board of Assessors for the City of Greenville shall be paid twelve dollars and fifty cents per day for their services, and the members of the Special Board for the City of Greenville shall be paid twelve dollars and fifty cents per day for their services. The members of the board shall be paid five cents per mile for all necessary travel incident to their work. The Special Board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided*, that no one shall be employed for the purpose without the prior approval and authorization of the chairman of the board.

SECTION 7. The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any subdistrict of Greater Greenville Sewer District, whenever it shall appear to the Commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistricts.

SECTION 8. The County Board of Commissioners of Greenville County with the approval of the Greenville County Legislative Dele-

gation is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property, real or personal, both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

SECTION 9. The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or roads or street or streets within the county, and to pay all cost of construction thereof out of the general fund of Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

SECTION 10. No department head of Greenville County shall make any purchase or contract to purchase any materials, supplies, equipment or services in excess of one hundred dollars without prior approval by the Board of Commissioners. The Board of Commissioners of Greenville County shall require bids on all purchases over one hundred dollars. Bids for purchases shall be obtained by advertising in a newspaper of general circulation in the county, once a week for two weeks, prior to the acceptance of any bids. The Board of Commissioners shall have the authority to accept or reject all bids. The board may waive advertisement for bids when it feels it is in the best interest of the county to do so.

The board shall further have the right to formulate such rules and regulations as will insure proper purchasing for the county and may prescribe such forms and bookkeeping methods as may be necessary

to carry out the purposes of this section. No purchases shall be approved by the board which involves an obligation over and above the appropriation provided for such purposes.

SECTION 11. The county board of commissioners is authorized and directed to allow the Associate Justice of the Supreme Court residing in the City or County of Greenville the use, without charge, of necessary office space in the Greenville County Courthouse and any allowance made by the State therefor may be used by him for other official expenses.

SECTION 12. Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion or portions of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

SECTION 13. All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

SECTION 14. No department, agency, or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

SECTION 15. No county employee shall receive extra compensation from the county or private sources for work done on county time or with county equipment or supplies.

SECTION 16. All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Amend Act No. 1036 Of 1960, The Greenwood County Appropriations Act, So As To Further Provide For The Payment Of Certain Hospital Claims.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 17 of Act 1036 of 1960 amended—Greenwood County Appropriation Act—payment of hospital claims.—The first paragraph of Section 17 of Act No. 1036 of 1960, is amended by deleting on line 2 the following: “and Item 5-C”, so that when amended the paragraph shall read as follows:

“The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person’s financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R145, S213)

No. 566

A Joint Resolution to Amend Act No. 433 Of The Acts Of 1959 Relating to The Creation Of A Courthouse Renovating And Building Committee For Greenwood County, So As To Make Further Provision For The Membership Of The Committee.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 433 of 1959 amended—court-house renovating and building committee created for Greenwood County—members.—Section 1 of Act No. 433 of the Acts of 1959 is amended by striking out the names “Marion Carnell” and “George Free” and inserting in lieu thereof the names “Fulton Clamp” and “Ernest R. Rosenberg”, so that when amended the section shall read as follows:

“Section 1. There is hereby created the Courthouse Renovating and Building Committee for Greenwood County which shall be composed of the following who are hereby appointed to membership on the committee:

Henry S. Carter, County Supervisor, ex officio

John Bowen

Fulton Clamp

Ernest R. Rosenberg

John Harris

W. N. Henderson

J. C. Marshall

W. H. Nicholson, Jr.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R208, S267)

No. 567

An Act Providing For The Creation Of Watershed Conservation Districts In Greenwood County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definition.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) “Watershed conservation district” means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Greenwood Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Greenwood County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Greenwood County.—Authority is hereby granted to form watershed conservation districts within Greenwood County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area de-

scribed in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the General Fund of Greenwood County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of _____ Watershed Conservation District

Against creation of _____ Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum

or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—District to be created if results and determination favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Greenwood County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by

twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.

—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.

—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the

amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Greenwood County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Greenwood County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence

of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the _____ Watershed Conservation District" and "Against terminating the existence of the _____ Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed

conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Greenwood County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Greenwood Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the Finance Board of Greenwood County.

SECTION 20. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1961.

(R322, S338)

No. 568

An Act To Authorize The Lander Foundation Of Greenwood County To Borrow Not Exceeding Thirty Thousand Dollars From The Division Of Sinking Funds And Property And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lander Foundation may borrow money for sprinkler system.—Pursuant to Section 1-449, Code of Laws of South Carolina, 1952, The Lander Foundation of Greenwood County is authorized to borrow for the installment of a sprinkler system at Lander College not exceeding thirty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes executed by the chairman of The Lander Foundation under such terms and conditions as the State Budget and Control Board shall prescribe, except that the interest rate of such note or notes shall not exceed four per cent per annum.

SECTION 2. Payment.—The insurance on such buildings in which the sprinkler system is to be installed shall be carried by the State

Budget and Control Board and the difference between the present insurance rate and the premium rate to be charged by the Budget and Control Board, together with such other funds as may be made available from other sources, shall be pledged to retire the note or notes and interest due thereon. No reduction in the premium rate shall be allowed until the loan authorized by this act has been paid in full.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R502, S391)

No. 569

An Act To Amend An Act Of 1961 Bearing Ratification No. 208 Relating To The Creation Of Watershed Conservation Districts In Greenwood County, So As To Further Provide For The Creation Of Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraph (5) of Section 9 of Act 567 of 1961 amended—officers.—Paragraph (5) of Section 9 of an act of 1961 bearing Ratification No. 208 is amended by striking out the paragraph in its entirety and inserting in lieu thereof the following:

“(5) The directors shall annually designate from among their number a chairman and secretary.”

SECTION 2. Paragraph (1) of Section 10 of Act 567 of 1961 amended—not to exercise right of condemnation until certain conditions met.—Paragraph (1) of Section 10 of an act of 1961 bearing Ratification No. 208 is amended by adding thereto the following proviso: “*Provided*, however, that the district shall in no case have nor be entitled to exercise the right of condemnation until and unless at least ninety per cent of the required easements and rights of way necessary for any particular project of the district have been acquired by other means;”

SECTION 3. Paragraph (4) of Section 10 of Act 567 of 1961 amended—tax levy.—Paragraph (4) of Section 10 of an act of 1961

bearing Ratification No. 208 is amended by striking out on line 1 the words "real property" and inserting in lieu thereof the following: "assessed land, excluding buildings," so that when amended the paragraph shall read as follows:

"(4) To levy an annual tax on the assessed land, excluding buildings, within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor."

SECTION 4. Paragraph (2) of Section 14 of Act 567 of 1961 amended—computation of tax.—Paragraph (2) of Section 14 of an act of 1961 bearing Ratification No. 208 is amended by striking out on line 5 the words "real property" and inserting in lieu thereof the following: "assessed land, excluding buildings," so that when amended the paragraph shall read as follows:

"(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the assessed land, excluding buildings, indicated on the tax roll. The computation shall be made on the regular tax bills."

SECTION 5. Section 16 of Act 567 of 1961 amended—expenditures.—Section 16 of an act of 1961 bearing Ratification No. 208 is amended by striking out the section in its entirety and inserting in lieu thereof the following:

"Section 16. Tax funds collected shall be held by the Treasurer of Greenwood County for the specific purpose for which they have been collected. All expenditures of such funds shall be made on warrants signed by the chairman and secretary of the board of directors of the watershed district and the chairman of the soil conservation district."

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R508, S392)

No. 570

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding The Sum Of Fifty Thousand Dollars For The Purpose Of Refinancing Certain Debts Of Greenwood County Incurred For The Purpose Of Purchasing Lands For Public Purposes And For The Purpose Of Buying Certain Additional Lands Needed For Public Purposes; For The Purpose Of Paying Any Costs And Interest In Connection Therewith; And To Provide For The Issuance Of A Note Or Notes For The Purpose Of Refinancing The Indebtedness And To Use The Proceeds For The Payment Of The Indebtedness, Costs, And Interest.

Whereas, Greenwood County has heretofore purchased certain lands for public purposes of the county, and, whereas, the debt incurred for such purposes was the sum of sixty-seven thousand dollars, exclusive of interest and costs, and whereas, a portion of such lands so purchased have been sold for the sum of thirty-two thousand three hundred thirty-seven dollars and fifty cents, leaving a remainder owed of thirty-four thousand six hundred sixty-two dollars and fifty cents, exclusive of interest and costs, and, whereas, it is deemed in the best interests of Greenwood County to borrow not exceeding the sum of fifty thousand dollars for the purpose of refinancing and paying off the remainder of the debt as above set forth and costs and interest incurred in connection therewith, and for the purpose of purchase of certain additional lands for public purposes. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may borrow money.—The Finance Board of Greenwood County is hereby authorized, directed, and empowered to borrow not exceeding the sum of fifty thousand dollars, with which to refinance the existing indebtedness of Greenwood County incurred in connection with the purchase of certain lands for public purposes, and to be purchased for public purposes.

SECTION 2. Notes—maturity and interest.—The money so borrowed shall be evidenced by a note or notes of Greenwood County, signed by the Supervisor and attested by the Clerk or Secretary to the Finance Board. The note or notes shall mature not more than five years from the date of this act, and shall bear such maturity date

or dates as is determined by the Finance Board of Greenwood County, and shall bear such rate of interest as is determined by the Finance Board.

SECTION 3. Payment from sale of lands.—As to any of the above lands as are sold, the proceeds from the sale of such lands shall be applied toward the payment of the debts incurred as provided in this act, together with costs and interest in connection therewith.

SECTION 4. Exempt from taxes.—The notes, both as to principal and interest, shall be exempt from all state, county, and municipal taxes.

SECTION 5. Payment—further.—The full faith, credit, and taxing power of Greenwood County shall be pledged for the payment of the notes, interest, and costs, and the Auditor and Treasurer of Greenwood County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property in the county, sufficient to pay the principal and interest on the note or notes as they respectively mature.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R509, S416)

No. 571

An Act To Amend Act 441 Of 1959, As Amended, Relating To The Greenwood Metropolitan District, So As To Further Provide For The Method Of Levying Taxes, To Provide That The District May Make Sewer Service Charges, To Provide For The Establishment Of Rates To Create A Lien For Sewer Charges, To Provide For The Collection Of The Charges, To Provide That Deposits May Be Required And To Provide That Books Showing Liens Shall Be Maintained.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7 of Act 441 of 1959 amended—payment—tax levies—annexed areas.—Section 7 of Act No. 441 of the Acts of 1959, as amended, is further amended to read as follows:

“Section 7. The Greenwood Metropolitan Commission is authorized and directed to levy taxes on all property within the District for the purpose of paying the principal and interest on all bonds issued under this act, such tax to be sufficient to pay such interest as it becomes due and to provide a sinking fund sufficient to pay the principal on the date, or dates, of its maturity. In addition, such commission is authorized to levy taxes on all property in such district sufficient to operate and maintain the system, which levy for operation and maintenance shall not exceed three mills. The commission shall levy such taxes and shall notify the county auditor and treasurer prior to July first, annually, of any desired tax, whereupon the auditor and treasurer shall assess and collect the tax requested, and the treasurer shall hold and disburse the money so collected to the extent necessary for the payment of principal and interest of the bonds as they respectively mature, and, pending such application, the money shall be deposited or invested by the county treasurer under the direction of the Greenwood Metropolitan Commission. The money so collected for operation and maintenance of the system shall be paid over by the county treasurer to the Greenwood Metropolitan Commission for application to maintenance and operation of the district. All such taxes shall constitute a lien upon the property against which the same are levied on a parity with the lien of county taxes, and the provisions of law relating to penalties and interest for the nonpayment or delinquent payment of county taxes, and the provisions relating to the sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

When as a result of annexation by any method provided herein additional property shall be included within the area of the district, then from such effective date of annexation, persons and property within the area being annexed shall become liable on a pro rata basis for all Metropolitan Sewer District taxes and other charges during the remainder of the current tax year, and the same shall be collectible in like maner and by like means as in the case of other Metropolitan Sewer District taxes and charges.”

SECTION 2. Act 441 of 1959 amended—Section 7 B added—sewer service charges.—Act 441 of 1959, as amended by Act 1028 of 1960, is further amended by adding after Section 7 A a new section 7 B to read as follows:

"Section 7B. The commission may promulgate and impose sewer service charges for the use of the facilities of the district in such amounts as they deem proper. The charges or rates may be established and altered from time to time by giving notice of thirty days in a newspaper published in Greenwood County. Such service charges promulgated and imposed as herein provided shall be the joint liability of both the tenant and the owner of the property connected to lines that discharge ultimately into the district's system, during and for five years after the period for which the service charge is applicable. The primary liability shall be that of the tenant, if any, with the owner of the property served being secondarily liable for such payment. There is hereby created a lien for such sewer charges upon such property, which lien shall be on a parity of lien with State, county, school and district taxes. The service charge shall be collected by the commission. Delinquent service charges shall bear penalties of twenty-five per cent per month for periods in arrears, and all service shall be due and payable in advance. Reasonable deposits to insure payment may be required by the commission, and upon delinquency, the commission may enter upon any property and take such steps as are reasonably required to discontinue such service. The service charge imposed hereunder may be collected in the event it becomes delinquent in the same manner and by the same procedure, including execution and sale thereunder, and with the addition of the same costs as provided by law in the case of State, county and school taxes.

The commission shall maintain record books at a designated location available to the public showing delinquent sewer service charges constituting liens hereunder. Such charges shall be indexed in the name of the tenant and the respective property owner, designating the location of the property served."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R586, H1798)

No. 572

An Act To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1961-1962, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1961, and ending June 30, 1962, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and the Finance Board of Greenwood County.

SECTION 2. There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1961, and ending June 30, 1962, the following sums of money in the amounts and for the purposes herein set forth as follows:

Item 1. Road Maintenance Supervision:

A-1. Groceries	\$ 10,000.00
A-2. Salaries and Labor	42,000.00
A-3. Fuel Oil and Grease	16,000.00
A-4. Bridge Material	12,000.00
A-5. Road Material	11,000.00
A-6. Clothing and Camp Service	7,000.00
A-7. Medical Service and Medicine, Insurance on county equipment and miscellaneous items	4,000.00
A-8. Parts and Repairs	23,000.00
A-9. Maintenance and Building of Surface Treated Roads.	

The Supervisor of Greenwood County shall be responsible for repairing and maintaining all im-

proved and surface treated roads in the county system. He further shall be responsible for making, grading, improving, and building such surface treated roads as might be designated from time to time by and for which funds have been appropriated by the Greenwood County Legislative Delegation.

Subtotal	125,000.00
B. Supervisor's Salary	5,400.00
C. Auto Upkeep and Traveling Expenses for Supervisor	150.00
D. Clerk of Finance Board, Salary	5,400.00
E. Auto Upkeep	50.00
F. Secretary to Supervisor and Finance Board	3,000.00
G. County Physician	600.00
Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; <i>provided</i> , the County Physician shall be selected by a majority vote of the Finance Board.	
TOTAL ITEM 1	\$139,600.00

Item 2. Law Enforcement:

A. Sheriff's Salaries and Transportation:	
A-1. Sheriff's Salary	\$ 5,400.00
A-2. Six Deputy Sheriffs at \$3,950.00 each	23,700.00
One Deputy to be hired July 1, 1961, \$275.00 per month for first six months, \$300.00 per month for second six months	
	3,450.00
A-3. Secretary to Sheriff	2,750.00
A-4. Transportation of Prisoners	300.00
A-5. Auto Upkeep and Traveling Expenses for Sheriff and Deputies	500.00
B. Constables:	
B-1. At Ninety Six Cotton Mill	3,900.00
<i>Provided</i> , the Ninety Six Cotton Mill shall reimburse Greenwood County for \$1,950.00.	
B-2. His Auto Upkeep and Traveling Expenses	200.00
<i>Provided</i> , that Ninety Six Cotton Mill shall match this travel with the same amount.	

B-3. Mathews Mill (2 at \$3,900.00 each)	7,800.00
<i>Provided</i> , that Mathews Mill shall reimburse Greenwood County in the sum of \$3,900.00.	
B-4. Their Auto Upkeep and Traveling Expenses ..	300.00
<i>Provided</i> , that Mathews Mill shall match this travel with the same amount.	
B-5. At Ware Shoals, County's one-half part of four constables at \$1,950.00	7,800.00
B-6. Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals ..	600.00
<i>Provided</i> , that Ware Shoals shall match this travel with the same amount.	
B-7. Harris Mill	3,900.00
<i>Provided</i> , Harris Mill shall reimburse Greenwood County in the sum of \$1,950.00.	
B-8. Auto Upkeep and Travel Expense, Harris Mill Deputy	200.00
<i>Provided</i> , Harris Mill shall match this travel with the same amount.	
<i>Provided</i> , that the appropriations for auto expenses and traveling expenses provided for in Item 2, B-2, B-4, B-6, B-8, shall be paid to the respective mill companies and shall be disbursed by them.	
B-9. Ware Shoals West End—Law Enforcement, two deputies, salary to be fixed by association ..	3,900.00
This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose.	
B-10. Auto Expense, West End Deputies	50.00
<i>Provided</i> , that West End Merchants shall match this expense.	

- C. Jail Expenses, including dieting of prisoners at \$1.25 per day 7,200.00
- D. National Guard Units 1,750.00
Provided, that this amount shall be divided among the various units and armories located in Greenwood County on the basis of \$500.00 to each armory and \$250.00 to each unit.
- E. One-half of Fingerprint and Picture Record of all prisoners (other half by City) 360.00
- F. Secret Service Work 100.00
Provided, that a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.
- G. Officers' Uniforms 2,275.00
Provided, that this appropriation shall be disbursed as follows: seven deputy sheriffs in sheriff's office and delinquent Tax Collector, \$175.00 each; all other constables and deputies (10), as the county's half part, \$87.50 each, *provided* that the same be matched as to each constable as hereinabove provided for travel and auto expense.
- H. Insurance on Officers' Cars 2,100.00
- I. Clerk of Court 1,300.00
 The office of clerk of court is a fee office supplemented by the amount provided above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; *provided*, however, that should the clerk's income be less than \$5,400.00 after payment of salary of clerk in the amount of \$2,850.00 and such temporary or emergency assistance paid on a proportionate basis, and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.
- J. Attorney 1,200.00
Provided, the said attorney shall be selected by majority vote of the Finance Board.

K. Coroner:	
K-1. Salary	1,000.00
K-2. Telephone at his residence	37.00
K-3. Travel	300.00
L. Post Mortems, Inquests and Lunacies	2,000.00
M. Inquest Jurors	300.00
N. Magistrates:	
N-1. Ware Shoals	1,900.00
N-2. Greenwood	4,100.00
N-3. Ninety Six	950.00
N-4. Hodges and Cokesbury	720.00
N-5. Troy	110.00
N-6. Oak Grove	110.00
N-7. Clerk for Greenwood Magistrate	2,750.00
O. Jurors and Witnesses in Circuit Court	8,000.00
<i>Provided</i> , that Jurors and Bailiffs receive six dollars per day each and ten cents per mile one way for term.	
P. Jurors serving in Magistrates' Courts in criminal cases only	100.00
<i>Provided</i> , that Jurors serving Magistrates' Courts shall receive two dollars per day.	
Q. Judge of Probate:	
The office of the Judge of Probate is a fee office and the Judge of Probate is required to pay from his fees the salary of his clerk and expenses as has always been the case; <i>provided</i> , that should the Judge of Probate's income be less than \$5,400.00 after payment of salary of clerk in the amount of \$2,850.00 and such temporary or emergency assistance paid on a proportionate basis and office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.	
R. Clerical Assistance, Probation Officer, Greenwood County share	400.00
S. Clerical Assistance for Solicitor	600.00
<hr/>	
TOTAL ITEM 2	\$104,412.00

Item 3. Farm Aid:

A. County Agent—Salary Supplement	\$ 360.00
B. Negro Home Agent—Salary and Travel	540.00
C. Supplies:	
1. Home Demonstration Agent	75.00
2. Negro Home Agent	50.00
3. Negro Agricultural Agent	25.00
D. Home Demonstration Work for Girls	100.00
E. Home Demonstration Work for Negro Girls ..	75.00
F. Boys' 4-H Club Work	100.00
G. Negro 4-H Club Work	75.00
H. Clerical Assistance—Negro Agent	900.00
I. Office Rent—Negro Agent	135.00
J. Vocational Agriculture Teacher—Travel	240.00
K. Fire Control, payable \$600.00 each to fire ranger and fire wardens for expenses	1,800.00
L. County Breeders Association—aid to artificial insemination program	600.00

TOTAL ITEM 3\$ 5,075.00

Item 4. Collection of Taxes:

A. Salaries:	
A-1. Treasurer's Salary	\$ 1,902.00
This amount in addition to the amount provided by the State provides a total salary for the Treasurer of \$5,400.00.	
A-2. Chief Clerk for Treasurer	3,000.00
A-3. Assistant Clerk for Treasurer	2,750.00
A-4. Travel and official expense for Treasurer	220.00
A-5. Auditor's Salary	1,902.00
This amount in addition to the amount provided by the State provides a total salary for the Au- ditor of \$5,400.00.	
A-6. Travel allowance for Auditor	220.00
A-7. Chief Clerk for Auditor	3,000.00
A-8. Assistant Clerk for Auditor	2,750.00
A-9. Tax Collector	3,950.00
A-10. Secretary to Tax Collector	2,750.00
B. Auto Upkeep and Maintenance of Tax Collector	50.00
C. Board of Assessors and Tax Appeals	2,700.00

D. Sending Out Tax Notices:	
D-1. Treasurer's Office	875.00
D-2. Delinquent Tax Collector's Office	315.00
<hr/>	
TOTAL ITEM 4	\$ 26,384.00
Item 5. Health Service:	
A. County Health Department	\$ 33,872.00
<i>Provided</i> , that the County Finance Board shall be furnished one itemized statement of the expenditure of this money.	
County's contribution to provide for an additional nurse; <i>provided</i> , the same is payable only if funds become available and are provided from another source or agency to pay the balance of salary and travel of such nurse of \$4,023.00	
	1,500.00
Furniture and equipment for Health Department as specifically requested	500.00
B. Charity Patients at Self Memorial Hospital or other institutions as approved by the Department of Public Welfare	15,754.67
C. Brewer Hospital, for charity patients, to be disbursed in 12 equal monthly payments	32,042.00
D. Mental Health Clinic—An appropriate amount upon approval of a majority of the Greenwood County Legislative Delegation may be expended for the participation of Greenwood County in a Regional Mental Health Program or Clinic if such a program is instituted with the approval of the South Carolina Mental Health Commission.	
<hr/>	
TOTAL ITEM 5	\$ 83,668.67
Item 6. Public Welfare and Other Assistance:	
A-1. For boarding homes and emergency relief and matching state funds if needed	\$ 2,000.00
A-2. Telegrams and Long Distance Telephone Calls	100.00
A-3. Expenses of Child Welfare Worker	600.00
<i>Provided</i> , that the above sum shall be payable in equal monthly installments of \$50.00 without the necessity of itemizing same.	

C. Veterans' Service Office:

C-1. Salary of Service Officer	5,100.00
C-2. Salary of Office Help	2,750.00
C-3. Office Expense and Travel	300.00
<i>Provided, the funds, if any, provided by the State for the support of Veterans' Service Officer of Greenwood County shall be applied to the payment of the foregoing salaries and expenses and not duplicated.</i>	
C-4. Office Rent for Service Officer	408.00

TOTAL ITEM 6\$ 11,258.00

Item 7. Contractual Services:

A-1. Public Buildings, including water, fuel, lights and insurance	\$ 10,000.00
A-2. Repairs at Lander College	6,500.00
B. Printing and Stationery	1,500.00
C-1. Postage	550.00
C-2. Office Supplies	1,600.00
C-3. Office Equipment and repairs	1,500.00
C-4. Clerk of Court supplies	6,300.00
D. Telephone and Telegrams	3,610.00
Telephones shall be located one each in the office of the Sheriff, Supervisor, Treasurer, Auditor, Superintendent of Education, Clerk of Court, Judge of Probate, Grand Jury Room, Service Officer, Tax Collector, Home Demonstration Agent, one in Colored County Agent's office and one each in the homes of the Sheriff, the seven deputy sheriffs stationed at the Courthouse, the chief constables stationed at Ware Shoals Manufacturing Company, Mathews Cotton Mill, Harris Mill and Ninety Six Cotton Mill; <i>provided</i> , one-half of the necessary charges for the telephone service in the homes of the deputies stationed in the cotton mill villages shall be contributed by the respective cotton mill companies. All long distance messages shall be itemized and verified before payment from this fund.	
E. Janitor Service	4,680.00

F. Auditing County Books	1,500.00
G. Typing Audit Reports	50.00
H. Paupers' Funerals	300.00
I. Workmen's Compensation Fund	1,500.00
J. Premiums of Officers' Bonds	1,000.00
K. South Carolina Retirement System and Social Security	13,500.00
L. Servicing radios in Sheriff's cars	600.00
M. Airport utilities, county's share	300.00
N-1. Central gas supply for county-owned cars of sheriff's office, supervisor, tax collector and purchasing agent	4,000.00
<i>Provided</i> , that the appropriations herein provided for such officers (Item 2, A-5; Item 1, C; Item 4, B; Item 1, E) are for the purpose of covering gas expense when such officers are unable to use the central supply, and for lubrication, etc.	
N-2. Central Fund—parts, repairs, and tires for county-owned cars of Sheriff's Office, Supervisor, Tax Collector and Purchasing Agent	1,600.00
O-1. Secretary to Delegation	300.00
O-2. Postage and supplies, Delegation	25.00
<hr/>	
TOTAL ITEM 7	\$ 60,915.00
Item 8. Domestic Relations Court:	
A. Salaries:	
A-1. Judge	\$ 4,200.00
A-2. Probation Officer	4,200.00
A-3. Secretary	3,000.00
A-4. Assistant Probation Officer	3,000.00
B. Travel Allowance:	
B-1. Probation Officer	300.00
B-2. Assistant Probation Officer	400.00
<i>Provided</i> , that the above shall be payable in equal monthly installments without the necessity of itemizing same.	
C. Telephone, Stationery, Stamps and Office Supplies	1,500.00

D. Fund for Mental Examinations, Detention Care, Conferences, etc.		300.00
TOTAL ITEM 8		\$ 16,900.00
Item 9. Miscellaneous:		
A. Civil Air Patrol		\$ 400.00
B. Civil Defense, for expenses, supplies, equipment and administration		1,250.00
C. Planning Commission		1,200.00
D. Special Equipment (chairs and tables) for Na- tional Guard Unit, 112th Signal Company		1,200.00
<i>Provided</i> , this appropriation shall be available upon the passage of this act, provided that pur- chase is made by competitive bids as provided by law.		
TOTAL ITEM 9		\$ 4,050.00
Item 10. <i>Miscellaneous Contingent Fund</i> for Emergencies and unforeseen expenditures that may arise dur- ing the fiscal year 1961-1962		\$ 8,500.00
<i>Provided</i> , that a sufficient amount of this fund shall be used to finance the county's contribution to a plan of group hospitalization insurance for county employees, upon the basis of the county contributing one-half of the premium cost of such plan. <i>Provided</i> , further, that the Finance Board and County Delegation shall draft the desired coverages and benefits of such plan and shall de- termine the eligibility of employees to be in- cluded therein, and shall solicit sealed com- petitive bids for such insurance plan and award the contract to that insurance company submit- ting, in their collective opinion, the most econom- ical plan with the best features of coverage and benefits.		
<i>Provided</i> , further, that in no event shall any por- tion of this appropriation be used for an account		

for which there is a specific appropriation made
in this act.

TOTAL ITEM 10	\$ 8,500.00
---------------------	-------------

GRAND TOTAL	\$460,762.67
-------------------	--------------

Anticipated Revenue 1961-1962 other than taxation:

Fines, Forfeitures and Licenses	\$ 50,000.00
Insurance License Tax	30,000.00
Beer, Wine and Whiskey Tax	45,000.00
Delinquent Taxes and Execution Fees	20,000.00
Bank Tax	6,000.00
Reimbursement from industrial companies for constables	7,800.00
Revenue from Income Tax	36,130.00
State Contribution for Service Officer	4,500.00
National Forest Fund	6,000.00
Unpledged Revenue from gasoline tax	30,000.00
Miscellaneous income	2,000.00
TOTAL	\$237,430.00

Balance to be Raised by Taxation	\$223,332.67
--	--------------

SECTION 3. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1961-1962, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official

incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

SECTION 4. The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby authorized and empowered to make regulations or take such action as may be necessary under any emergency which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action.

SECTION 5. In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

SECTION 6. Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the County Treasurer may deem desirable. This service to the taxpayers being gratuitous, no obligation shall rest upon the county or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

SECTION 7. The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each

district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claim unless so drawn.

SECTION 8. There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by the Senator and the majority of the Greenwood County Legislative Delegation for the following purpose, to wit: clerical assistance to the Board, compensation and travel expenses of the appointed members of the County Board of Education, adult education, aid for school bus transportation, salary supplement and travel of Superintendent of Education, and for such other educational purposes as may be determined by the County Board of Education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, and travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold the proceeds therefrom, subject to the orders of the County Board of Education for Greenwood County.

SECTION 9. Any officer or employee who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County kept on file in the office of the County Treasurer, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

SECTION 10. A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all of the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

SECTION 11. The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by

the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The Department of Public Welfare is hereby designated as the agency to make financial investigations for those patients requesting charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department Of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

Provided, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days, unless the Finance Board shall have previously approved a longer stay. The Finance Board may approve a longer stay if it is made to satisfactorily appear from statements from the Superintendent of the hospital, the doctor in charge of the patient, and the Department of Public Welfare that a longer stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided*, further, that in no event shall more than four thousand eight hundred dollars be expended or obligated in any one calendar month for all charity patients.

SECTION 12. The County Treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of the county as of December 31, 1961, and June 30, 1962.

SECTION 13. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation of Greenwood County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 14. Monies accruing to Greenwood County from the one cent gasoline tax for the fiscal year 1961-1962 shall be used and are hereby appropriated as follows:

ESTIMATE OF FUNDS TO BE RECEIVED . . . \$160,000.00

(1) The sum of sixty-five thousand eight hundred forty dollars, or the necessary amounts, in payment of principal, interest and fiscal agents fees of road bonds and notes;

(2) The sum of twenty-five thousand dollars to the City of Greenwood for street improvements;

(3) The sum of two thousand five hundred dollars to the Town of Ninety Six for street improvements;

(4) The sum of thirty thousand dollars to supplement anticipated revenue other than taxation;

(5) The sum of six thousand dollars for the purchase of automobiles and equipment for the road maintenance program; *provided*, that the balance remaining in a similar account (Section 19, paragraph 4) of the 1960-61 county appropriation act, as of the end of the 1960-61 fiscal year, shall be carried forward and added to the amount hereby appropriated for this purpose.

(6) The sum of ten thousand dollars for the payment of obligations becoming due upon road reimbursement contracts.

(7) The sum of twenty thousand six hundred sixty dollars for general road improvements; *provided*, the supervisor of Greenwood County shall be responsible for repairing and maintaining all improved and surface treated roads in the County system. He further shall be responsible for making, grading, improving and building such surface treated roads as might be designated from time to time by and for which funds have been appropriated by the Greenwood County Legislative Delegation. *Provided*, that all contracts for road construction and resealing shall be entered into upon the basis of sealed bids, after advertisement therefor, with the right reserved to the county to reject any and all bids as to any particular project.

TOTAL\$160,000.00

Provided, however, that the sums appropriated to the City of Greenwood and the Town of Ninety Six shall not become due and payable until the amounts above pledged to the bond issue and to anticipated revenue have been paid.

Provided, further, that any surplus in the general fund of the county or any funds accruing from any other source to the credit of the General Fund for Greenwood County during the fiscal year shall be used as a contingent fund and spent on the authorization of a majority of the Greenwood Legislative Delegation including the Senator.

SECTION 15. If any clause, phrase, sentence, paragraph, or section of this act shall be held invalid, same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

SECTION 16. All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R595, H1867)

No. 573

An Act To Create Southeast Greenwood Public Service District In Greenwood County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Three Hundred And Fifty Thousand Dollars Of Revenue Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly has made the following findings of fact:

(1) The area herein defined, which is located in close proximity to the City of Greenwood, has become thickly populated. Public health and safety require the installation of a water distribution system in the area capable of supplying the domestic needs of the residents and fire hydrants for the protection of property. Studies have been made to determine the feasibility of the installation. The required facilities will involve a substantial expenditure, and on that basis it has been recommended that a special purpose district be created and empowered to issue bonds.

(2) It is contemplated that such bonds can be repaid by revenues from the sale of water and water taps. Most of the buildings to be served by the proposed water system are presently supplied by wells.

(3) To provide a source of water for the proposed system, it has been recommended that the proposed district contract with existing water utilities to supply water, maintain the water lines, collect the revenues, and control taps and extensions of the water lines.

(4) On the basis of the foregoing findings, the General Assembly, in order to promote the public health and safety of those living in the district, proposes to create Southeast Greenwood Public Service District, to provide a governing body for such district, and to empower the governing body to function as provided by this act.

SECTION 2. Southeast Greenwood Public Service District created in Greenwood County—area.—There is hereby created and established in Greenwood County a special purpose district to be known as “Southeast Greenwood Public Service District”, which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Greenwood County described as follows:

Beginning at the point of intersection of New Market Street and the city limits of City of Greenwood; thence in southeasterly direction along centerline of New Market Street to Big Rock Creek; thence along said creek in easterly direction to centerline of County Farm Road (Road 49); thence in southeasterly direction along centerline of County Farm Road and an extension of said road to centerline of the track of the Southern Railway thence along line perpendicular to said track for a distance of 1000 feet to a point; thence in westerly direction along line parallel to and 1000 feet south of centerline of said track to centerline of the road leading south from South Carolina Highway No. 34 at Child’s Store; thence in southwesterly direction along a straight line to a point in the center of the bridge across the Georgia and Florida Railroad on South Carolina Highway No. 670, known as Mt. Moriah Road; thence in northwesterly direction along centerline of the Georgia and Florida Railroad to a point on said railroad 1000 feet southeast of Florida Avenue; thence in southwesterly direction along line parallel to and 1000 feet southeast of Florida Avenue to a point 3000 feet southwest of centerline of Georgia and Florida Railroad, thence in northwesterly direction along line parallel to and 3000 feet southwest of centerline of Georgia and Florida

Railroad to point of intersection with branch of Panola Creek, thence northeasterly direction along south branch of Panola Creek to centerline of Georgia and Florida Railroad, thence southeasterly direction along centerline of Georgia and Florida Railroad to centerline of Florida Avenue, thence in a northeasterly direction along centerline of Florida Avenue to centerline of U. S. Highway 25, thence in a northerly direction along centerline of U. S. Highway 25 to city limits of City of Greenwood, thence in a northeasterly direction along city limits to point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the district shall be prepared and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Greenwood County.

SECTION 3. Procedure for extension of limits.—When petitioned by interested persons, or upon its own initiative, and after careful investigation, the Southeast Greenwood District Commission may by resolution propose extension of the limits of the district by the annexation of territory which, in the aggregate, adjoins its existing boundaries. Such resolution describing the territory proposed for annexation shall be published by posting copies in at least three public places in the territory proposed for annexation and by publishing notice of the resolution at or about the same time in a newspaper of general circulation, if there be one, in such territory. At least thirty and not more than sixty days after such publication, the proposed annexation shall be submitted by the county commissioners of election in an election to be held on the request and at the expense of the Southeast Greenwood District Commission for approval or disapproval by the qualified electors who reside in the territory proposed for annexation. In the election or elections to be held the questions submitted to the qualified electors shall be "For Annexation", "Against Annexation". The county commissioners of election shall promptly certify the results of the election or elections to the Southeast Greenwood District Commission. If a majority of all the qualified electors voting thereon in the territory proposed to be annexed shall approve the resolution followed by further investigation and approval by resolution of the Southeast Greenwood District Commission, annexation as provided

therein shall become effective on the first day of the next succeeding calendar month following the certification of the election and resolution of approval. The commissioners may file a certified copy of the declaration of the result of the election in the office of the Clerk of Court for Greenwood County, and if the same shall be filed no suit or action, challenging the validity of the election, shall be instituted unless the same is brought within thirty days following the occasion of such filing.

SECTION 4. To be governed by a commission—members—appointments—terms—vacancies.—The district shall be operated, managed and governed by a commission to be known as “Southeast Greenwood District Commission”. The commission shall consist of three resident electors of the district who shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee, and for six years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and have qualified. All of the terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator, for terms of six years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator.

SECTION 5. Powers and duties.—There is committed to the district the function of providing an adequate water supply for fire protection and for the use of the residents of the district and the function of providing an adequate garbage collection service, but additional functions may be committed to the district by subsequent legislation. The commission shall be empowered as follows:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.

(5) To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.

(6) To prescribe such regulations as are necessary to enable the commission to fully discharge the duties placed upon it and to protect all property acquired by it.

(7) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(8) To build, acquire, construct, operate and maintain such water system as shall in the opinion of the commission be necessary for the district.

(9) To enter into contracts with the governing agencies of municipal corporations and private corporations in Greenwood County operating waterworks systems on terms and conditions to be mutually agreed upon.

(10) To impose such schedule of water rates and charges for water system service as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for the water system made available by it to persons, firms and corporations within the district.

(11) To make use of county and State highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(12) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(13) To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

(14) To make contracts for construction, engineering and other services, with or without competitive bidding.

(15) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 6. Issuance of bonds.—As one method of raising money to obtain the water system required for the district, the commission on behalf of the district shall be empowered to issue not exceeding three hundred and fifty thousand dollars of revenue bonds of the district whose proceeds shall be used for said purposes, including the payment of such interest on the bonds as may be capitalized. Bonds shall be issued only in the event the election for the establishment of a water system, as required by Section 7 of this act, shall result favorably. All or any bonds issued pursuant to this paragraph may be secured by a pledge of the net revenues to be derived from the operation of the water system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words “net revenues” as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water, after paying the cost of supply, operation and maintenance. If, pursuant to this paragraph, revenue bonds are issued:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenwood County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least

ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts and Joint Resolutions of South Carolina, 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission, *provided*, however, that neither the members of the commission nor any person signing the obligations shall be personally liable thereon.

(e) Such bonds shall be secured by such pledge of the net revenues which the district may derive from the operation of the water system as the commission shall provide.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenwood County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Greenwood County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenwood County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 7. Election concerning establishment of a water system.—The commission is empowered to make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of establishing a water system for the district for the purposes authorized by Sec-

tion 5 of this act. The election shall be conducted by the Commissioners of Election for Greenwood County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election. The election shall be conducted in each of the several precincts (or portions of precincts) lying within the district as the same are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall be substantially in the following form:

“SHALL THE SOUTHEAST GREENWOOD PUBLIC
SERVICE DISTRICT ESTABLISH A WATER SYSTEM
FOR THE DISTRICT?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the establishment of a water system he shall erase or strike through the word “NO”, and that if he is opposed to the establishment of a water system, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Greenwood County, who shall declare the result of the election. If the commissioners of election determine that a majority of the voters voting in the election voted in favor of the establishment of a water system, the bonds, or any part thereof, provided for in Section 6 of this act may be issued. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law. The commissioners may file a certified copy of the declaration of the result of the election in the office of the Clerk of Court for Greenwood County, and if the same shall be filed no suit or action, challenging the validity of the election, shall be instituted, unless the same is brought within thirty days following the occasion of such filing.

SECTION 8. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes, and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the

operation of the water system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina nor of Greenwood County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its water system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the water system, whose revenues are pledged for the payment of such obligations, in accordance with and in the

order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in fixed amounts.

(7) Covenant and agree that no free service shall be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 9. Property now receiving water may be included under certain conditions.—No property shall be included within the bounds of the district that is now receiving adequate water from a municipal water supply source, except upon written petition of the individuals concerned to be so included, and furthermore the written approval of the water utility now furnishing a municipal water supply to such property must be obtained from said utility.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R604, H1829)

No. 574

An Act To Create Chinquapin Road Public Service District In Greenwood County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Eighty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District, And To Make Provision For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly has made the following findings of fact:

(1) The area herein defined, which is located in close proximity to the City of Greenwood, has become thickly populated. Public health and safety require the installation of a water distribution system in the area capable of supplying the domestic needs of the residents and fire hydrants for the protection of property. Studies have been made to determine the feasibility of the installation. The required facilities will involve a substantial expenditure, and on that basis it has been recommended that a special purpose district be created and empowered to issue bonds.

(2) It is contemplated that such bonds will be general obligations, but they may be additionally secured by a pledge of revenues derived from the sale of water within the district.

(3) To provide a source of water for the proposed system, it has been recommended that the proposed district contract with existing water utilities to supply water, maintain the water lines, collect the revenues, and control taps and extensions of the water lines.

(4) On the basis of the foregoing findings, the General Assembly in order to promote the public health and safety of those living in the district, proposes to create Chinquapin Road Public Service District, to provide a governing body for such district, and to empower the governing body to function as provided by this act.

SECTION 2. Chinquapin Road Public Service District created in Greenwood County.—There is hereby created and established in Greenwood County a special purpose district to be known as "Chinquapin Road Public Service District," which district shall be a public

corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Greenwood County described as follows:

Beginning at the point of intersection of the center lines of South Carolina Highway No. 72 and Chinquapin Road; thence along the center line of Chinquapin Road in a southwesterly direction approximately 2,500 feet to the point of intersection of the center lines of Chinquapin Road and the southwestern branch of Dogwood Circle; thence along the center line of Dogwood Circle and its extension in a southeasterly direction a distance of 2,500 feet to a point; thence along a line parallel to Chinquapin Road in a southwesterly direction a distance of 9,000 feet to a point; thence along a line perpendicular to Chinquapin Road in a northwesterly direction a distance of 4,000 feet to a point; thence along a line parallel to Chinquapin Road in a northeasterly direction to the point of intersection with the center line of South Carolina Highway No. 72; thence along center line of South Carolina Highway No. 72 to the point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the district shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Greenwood County.

SECTION 3. To be governed by a commission—members—appointments—terms—vacancies.—Such district shall be operated, managed and governed by a commission to be known as “Chinquapin District Commission”. The commission shall consist of three resident electors of the district who shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee, and for six years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors have been appointed and have qualified. All of the terms shall begin on the effective date of this act. Upon the termination of the term of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator, for terms of six years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise

shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenwood County, including the Senator.

SECTION 4. Powers and duties.—There is committed to the district the function of providing an adequate water supply for fire protection and for the use of the residents of the district and the function of providing an adequate garbage collection service, but additional functions may be committed to the district by subsequent legislation. The commission shall be empowered as follows:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
- (5) To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
- (6) To prescribe such regulations as are necessary to enable the commission to fully discharge the duties placed upon it and to protect all property acquired by it.
- (7) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (8) To build, acquire, construct, operate and maintain such water system as shall, in the opinion of the commission, be necessary for the district.
- (9) To enter into contracts with the governing agencies of municipal corporations and private corporations in Greenwood County operating waterworks systems on terms and conditions to be mutually agreed upon.
- (10) To impose such schedule of water rates and charges for water system service as the commission shall from time to time approve. To that end the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates for the water system made available by it to persons, firms and corporations within the district.
- (11) To make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-ways shall approve.

(12) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(13) To appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

(14) To make contracts for construction, engineering and other services, with or without competitive bidding.

(15) To raise funds for corporate purposes of the district by causing the levy of a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

(16) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 5. Issuance of bonds.—As one method of raising money to obtain the water system required for the district, the commission, on behalf of the district, shall be empowered to issue not exceeding eighty thousand dollars of general obligation bonds of the districts, whose proceeds shall be used for such purposes, including the payment of such interest on the bonds as may be capitalized. General obligation bonds shall be issued only in the event the election required by Section 6 shall result favorably. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of the water system to such extent as the commission shall determine to pledge the same, it being specifically recognized that the commission may thereafter wish to provide for further obligations of the district, secured by a pledge on a parity with the pledge herein required. The words “net

revenues" as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected for water, after paying the cost of supply, operation and maintenance. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal annual instalments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered, with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenwood County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission may reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(d) Such bonds shall be executed in such manner as may be prescribed by the commission. *Provided*, however, that neither the members of the commission, nor any person signing the obligations shall be personally liable thereon.

(e) There shall be irrevocably pledged for the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Greenwood County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the

district sufficient to pay the bonds and interest thereon as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by such pledge of the net revenues which the district may derive from the operation of the water system as the commission shall provide. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Greenwood County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Greenwood County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenwood County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Greenwood County and by him applied to the first instalment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenwood County to the first instalment of interest becoming due on the bonds. Neither the purchasers of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sale.

SECTION 6. Election concerning issuance of bonds.—The commission is empowered to make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing general obligation bonds of the district for the purposes authorized by Section 4, *supra*, of this act. The election shall be conducted by the Com-

missioners of Election for Greenwood County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts (or portions of precincts) lying within the district as the same are now established by law, and at the regular voting places therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall be substantially in the following form:

“Shall the Chinquapin Road Public Service District issue general obligation bonds in a sum not exceeding eighty thousand dollars, whose proceeds shall be used for a water system for the district?

Yes

No”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word “No”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “Yes”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheet, to the Commissioners of Election for Greenwood County, who shall declare the result of the election. If the commissioners of election determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 5, *supra*, of this act. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law. The commissioners may file a certified copy of the declaration of the result of the election in the office of the Clerk of Court for Greenwood County, and if the same shall be filed no suit or action, challenging the validity of the election, shall be instituted, unless the same is brought within thirty days following the occasion of such filing.

SECTION 7. Borrowing of money.—In order to provide further methods by which the district may from time to time raise money, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenue derived from the operation of the water system. The sums borrowed may be those

needed to pay all costs incident to the construction and establishment of such system, or such sum as may be needed to pay the cost of any extension, addition and improvement to such system. If this authorization be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina nor of Greenwood County, nor of the district, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this section may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the district may:

(1) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its water system as such net revenues may be defined by the commission.

(2) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(3) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the water system, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(4) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(5) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(6) Covenant and agree that the payments into any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in fixed amounts.

(7) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(8) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(9) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

SECTION 8. Property now receiving water may be included under certain conditions.—No property shall be included within the bounds of the district that is now receiving adequate water from a municipal water supply source, except upon written petition of the individuals concerned to be so included, and furthermore the written approval of the water utility now furnishing a municipal water supply to such property must be obtained from said utility.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

County To Borrow Sixty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hampton County School District 2 may borrow money.—The Board of Trustees of Hampton County School District No. 2 and the Treasurer of Hampton County are hereby authorized to borrow for general school purposes not exceeding sixty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive annual instalments. The first instalment shall be due one year from the date of issue of the note or notes. The first four instalments shall be paid at the rate of five thousand dollars principal plus interest. The balance of the principal plus interest shall be paid as the fifth instalment. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Hampton County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the school district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R372, H1664)

No. 576

An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, as follows :

Item 1. Roads and Bridges :

1-A. Chain Gang Employees :

1. Guards	\$ 10,960.00
2. Tractorman	3,000.00
3. Mechanic	3,840.00

1-B. Chain Gang, Convicts and Supplies 6,000.00

1-C. Bridges and Culverts 6,500.00

1-D. Tractors and Road Machinery :

1. Tractors and Machines	3,000.00
2. Repairs and Supplies	9,000.00

Total Item 1 \$ 42,300.00

Provided, that the Supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.

Item 2. County Officers and Clerks :

2-A. Attorney, salary	\$ 480.00
2-B. Auditor, salary	1,000.00
Auditor, expense	500.00

2-C. Clerk of Court, salary	2,400.00
Clerk to Clerk of Court, salary	2,100.00
Indexing Clerk (temporary), salary	1,200.00
2-D. Coroner, salary	360.00
2-E. County Board of Commissioners:	
Supervisor, salary	4,200.00
Supervisor, expense	600.00
Commissioners (2), salaries	2,860.00
Clerk, salary	1,800.00
2-F. Judge of Probate, expense	1,800.00
Clerk, salary	2,100.00
2-G. Magistrates and Constables:	
Magistrates (2), salaries	2,400.00
Magistrate, Goethe Township, salary	2,400.00
Magistrate, Peeples Township, salary	3,000.00
Constables (3), salaries	3,060.00
Constable, Goethe Township, salary	1,800.00
Constable, Peeples Township, salary	3,600.00
Constable (special), Pocatigo Township, salary	1,800.00
Clerk for Magistrates	120.00
2-H. Physician, salary	480.00
2-I. Sheriff, salary	2,400.00
Sheriff, expense	3,000.00
Deputy Sheriffs (2), salaries	4,200.00
Deputy Sheriffs (2), expenses	5,400.00
Jailor, salary	1,200.00
Jailor, expense	780.00
Three automobiles	6,000.00
2-J. Tax Collector, salary	4,200.00
Tax Collector, expense	450.00
2-K. Treasurer, salary	2,700.00
Treasurer, expense	300.00
2-L. Clerk for Auditor and Treasurer (present), salary	975.00
Clerk for Auditor and Treasurer (new), salary	2,250.00
<hr/>	
Total Item 2	\$ 73,915.00
Item 3. Board and Public Services:	
3-A. Board of Tax Equalization	\$ 250.00

3-B. County Farm Demonstration Office:	
Farm Agent, expense	600.00
Assistant Farm Agent, salary	2,700.00
Clerk, salary	600.00
4-H Club Work and Miscellaneous Supplies ...	650.00
3-C. County Home Demonstration Office:	
Clerk, salary	1,320.00
Negro Home Agent, salary	720.00
Demonstration Material and Office Expense ...	150.00
3-D. Court Expenses (jurors, bailiffs and jury child, five dollars each, per diem; witnesses, two dol- lars each, per diem; mileage, each juror, bailiff, jury child and witness, ten cents per mile one way per term of court)	
	3,000.00
3-E. Department of Public Welfare:	
Expenses	1,862.00
Relief	3,600.00
3-F. Forestry Board (meetings, members five dollars, per diem, each, and ten cents per mile one way per board meeting)	
	75.00
3-G. Health Centers (including Varnville, Yemassee and Estill).	
Sanitarian, in charge, travel	840.00
Sanitarian, travel	737.04
Health Nurses (2), travel	2,280.00
Clerk	360.00
Insect Control, 2 operators, \$50.00 each, per week, payable biweekly, not to exceed a 20 week season	2,000.00
Chest X-Ray Clinic, Technician services	300.00
X-Ray Reading Services and Film	300.00
Clinics, 2 per month, \$12.00 each for Physicians' services as required	288.00
Operation and Supplies	1,426.00
<i>Provided</i> , that all travel, mileage and expenses incident thereto shall be individually itemized be- fore reimbursement.	
3-H.	
3-I. Jail Expenses:	
Dieting Prisoners	3,500.00

Transportation of Prisoners	240.00
Medical Expenses for Prisoners	250.00
Repairs and Supplies	400.00
3-J. Library Service:	
Contributions (expend subject to Section 16) ..	5,200.00
Expenses	600.00
3-K. National Guard Units Fund, donations (expend subject to Section 16)	1,200.00
3-L. Post Mortems, Inquests, Pauper Funerals, Lunacies and Transportation of Patients	1,000.00
3-M. S. C. Retirement System and Federal Social Security Contributions for County Employees	5,000.00
3-N. Supervisors of Registration (3), salaries	1,200.00
3-O. Vital Statistics, Registrars of Births and Deaths	200.00
3-P. Veteran Service Office:	
Service Officer, salary	1,200.00
Service Officer, expense	1,800.00
Clerk, salary	2,100.00
Travel Expense (Meetings, Veteran Affairs) ..	200.00
Office Expenses	400.00
Total Item 3	\$ 48,548.04
Item 4. Operation and Upkeep, Offices, Buildings and Grounds:	
4-A. Advertising:	
Publishing Supervisor's Monthly Report, Legal Notices of Auditor and Treasurer	\$ 300.00
Watermelon Festival (expend subject to Section 16)	750.00
Other Advertising, including flowers (subject to Delegation approval to expend)	200.00
4-B. Auditing and Bond Premiums:	
Auditing Service, including annual settlement ..	1,700.00
Bond Premiums, Officers and Employees	800.00
4-C. Utilities and Insurance (including Workmen's Compensation premiums on County Employees):	
Electric Service	3,750.00
Fuel	1,370.00
Water Service	550.00
Insurance	1,200.00
Workmen's Compensation Premium	900.00

4-D. Grounds Beautification (expend subject to Section 16)	900.00
4-E. Janitor Service (including Armory)	2,560.00
The sum provided for janitor service shall not exceed \$10.00 per week for each helper.	
4-F. Postage, Stationery, Office Supplies and Mailing Tax Notices	3,800.00
No sum provided for postage, stationery, office supplies and mailing tax notices shall be paid out except upon proper receipt.	
4-G. Repairs and Supplies:	
General Maintenance	1,000.00
Sheriff's Radio System	1,300.00
4-H. Rent, Library, Hampton, S. C.	660.00
4-I. Telephone, Toll Calls and Telegraph Service ...	2,400.00
<hr/>	
Total Item 4	\$ 24,140.00
Item 5. Miscellaneous:	
5-A. Tax Refunds, Street Taxes to Towns, Execution Fees due Treasurer and S. C. Sales Tax, also including tax exemption granted New Industry. \$	3,000.00
5-B. Teachers' Expense, subject to Delegation Approval, for disbursement through school authorities	7,665.00
<hr/>	
Total Item 5	\$ 10,665.00
<hr/>	
1961-62 APPROPRIATION GRAND TOTAL	
FOR FISCAL YEAR	\$199,568.04
Less Estimated Revenues, other than Current Property Taxes:	
Alcoholic Liquor Tax	\$ 14,000.00
Bank Tax	1,500.00
Beer and Wine Tax	3,900.00
Fines	15,000.00
Gasoline Tax	70,000.00
Income Tax	20,000.00
Insurance License Fees	8,500.00
Miscellaneous	500.00
Rents	1,000.00
State Library Board	500.00

Tax Execution Collections	3,000.00
Tax Execution Fees	2,000.00
Veteran Service Office	3,900.00

Total Estimated Revenues, Other Than Current Property Taxes	\$143,800.00
--	--------------

AMOUNT TO BE RAISED BY COUNTY
TAX LEVY, including Commutation Road Tax \$ 55,768.04

Provided, that the County Attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided*, further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the Legislative Delegation.

Provided, further, that all revenues provided for by law be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

Provided, that hereafter the janitors of the Court-house and the county office buildings shall work and perform their duties under the control and direction of the Clerk of Court and Farm Demonstration Agent, respectively. All claims shall have the approval before payment by at least two members of the County Board and such approval by any two members shall be sufficient to constitute the board's approval.

Provided, further, that nothing herein or otherwise shall be construed as limiting the total compensation, including expense allowance, of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

SECTION 2. No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male

citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be expended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided*, that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scotia and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided*, further, that clerks of the respective towns, on or before March first of 1962 and each succeeding year, furnish a list, duly sworn to, to the county auditor, and copies to the county treasurer and county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

SECTION 3. The Auditor and Treasurer of Hampton County shall be and they are hereby constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the Treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

SECTION 4. The clerk of the county board of commissioners may, at its discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate list-

ing each county employee with appropriations act item number, monthly salary and expense, less required and authorized pay deductions and issue County Board of Commissioners' "County Check" (warrant) in the usual manner for balance due to each county employee at the close of the last day of each month. The county check (warrant) number, date and amount shall be entered on the appropriate line on the payroll. The county check (warrant) shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each monthly payroll shall be approved by the County Board of Commissioners and duplicate filed with the county treasurer. The County Board of Commissioners or its clerk may withhold, or delay issuing a county check (warrant) to any employee when believed necessary to protect the county's interest, including settlement of tax executions held by the tax collector when notified in writing and a copy is mailed to employee concerned.

SECTION 5. The county supervisor and the county commissioners are hereby prohibited to issue any pay check (warrant) to any magistrate of Hampton County until the magistrate has filed report and remitted all funds, including fines and costs due Hampton County to the county treasurer for the previous month; *provided*, all funds due the South Carolina Wildlife Resources Department have been remitted and the department has not notified the County Board of Commissioners in writing otherwise.

SECTION 6. The county supervisor, upon the request of any county commissioner, is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

SECTION 7. All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

SECTION 8. All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and three hundred dollars set out in Item 4 is for the payment in full of such notices as are published in any paper during the year. *Provided*, however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of three hundred dollars is not in payment of the costs of advertising tax sales.

SECTION 9. The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

SECTION 10. No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. The courthouse and grounds shall be under the custody and control of the Clerk of Court for Hampton County, except that the county office building shall be under the custody of the Farm Demonstration Agent for Hampton County.

SECTION 12. Wherever in the conduct of the affairs of the county it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legislative delegation shall approve the expenditure in writing and the approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

SECTION 13. From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided*, that the presiding judge may otherwise order service made personally by the sheriff and in such event the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the Sheriff of Hampton County shall not be required to serve or summons witnesses in criminal cases except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for which no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the State, blanks for same to be furnished by the clerk of court to the various magistrates.

SECTION 14. All persons actually in the Armed Forces of the United States on active duty shall during service be exempt from payment of personal property taxes on one vehicle, includes one vehicle in wife's name if none in husband's name in tax book, and from

payment of road, poll and dog taxes levied for 1961 and for any prior year when the above conditions have been met. The county auditor, treasurer and tax collector are authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1962 against any person.

SECTION 15. In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general county fund.

SECTION 16. Such funds as are herein appropriated as county contribution, donation or other support of any county agency or civic organization shall be made available on county check (warrant) issued by the county board of commissioners drawn on the county treasurer on letter request by such agency or organization for actual amount of funds determined to be needed and how arrived at, supported by its current year's (fiscal or calendar) financial operations statement to date of the letter request, with advice that a copy of the previous year's audit has been filed for record with the office of the Clerk of Court for Hampton County. Only after the county board of commissioners has made favorable recommendations, not in excess of appropriation item and the later written approval of the county legislative delegation, will such county check (warrant) be issued for approved amount; however, the approved amount may be disbursed in one or more county checks (warrants) in the discretion of the county board of commissioners with regard to funds available in the county treasurer's office for the county fund general purposes.

SECTION 17. All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

SECTION 18. Any new manufacturing enterprise claiming exemption from county taxes (other than taxes for school purposes) for a

period of five years from their establishment under the provisions of Section 8 of Article VIII of the State Constitution shall make letter request to the county auditor who will determine if the new manufacturing enterprise has made investment of not less than fifty thousand dollars or additions to existing manufacturing enterprise of not less than fifty thousand dollars, as is evidenced by Hampton County property tax return or certified documents filed with the South Carolina Tax Commission of the enterprise. Upon a favorable finding by the county auditor, the request shall be submitted to the county legislative delegation for approval. The county treasurer shall establish and maintain complete file on each tax exempt enterprise. The county treasurer is authorized in lieu of exempt amount of taxes to execute county claim in his favor as county treasurer for the amount and to handle same as a "Cash Item" in his county fund account for reimbursement on "Next First Monday" by the county board of commissioners at the same time payment of balance due taxes is made by any such enterprise. *Provided*, any new manufacturing enterprise may submit evidence under oath by its owner, partner or officer if a corporation, if their Hampton County property tax return or certified documents filed with the South Carolina Tax Commission does not reflect as much as fifty thousand dollars investment to the county auditor for reference to the county legislative delegation.

SECTION 19. The automobiles provided for under Item 2-I shall be purchased by the supervisor upon open bids or through the office of the Division of Sinking Funds and Property, Purchasing Division, whichever is more economical.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

An Act To Validate The Issuance And Sale Of Two Hundred Seventy-Two Thousand Dollars Town Of Ocean Drive Beach (Horry County) Waterworks And Sewer System Refunding And Improvement Revenue Bonds Of 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that :

(a) The Town of Ocean Drive Beach proposes to issue two hundred seventy-two thousand dollars Waterworks and Sewer System Refunding and Improvement Revenue Bonds, whose proceeds are to be used in part to retire some fifty-four thousand dollars outstanding Town of Ocean Drive Beach Revenue Bonds and to provide funds for the construction of a Sewage Disposal System as an improvement to the Waterworks System as authorized by the provisions of Section 59-654, Code of Laws of South Carolina, 1952;

(b) It is proposed to effect the sale of the bonds at less than par, it having been found that it is to the interest of the Town to sell bonds at a lower rate of interest than to sell bonds at par which bear a higher interest rate;

(c) The bonds are issued pursuant to Chapter 5, Title 59, Code of Laws of South Carolina, 1952, in which there is contained Section 59-667, requiring bonds sold pursuant to Chapter 5 to be sold at par; and

(d) By reason of the foregoing, it is necessary that action of the Town of Ocean Drive Beach be ratified and approved so that the proposed bonds will be lawful and valid obligations of the Town of the tenor authorized by Chapter 5 of Title 59, notwithstanding the failure to sell the bonds at par.

SECTION 2. Bond issue by Town of Ocean Drive Beach validated.—The action of the Town Council in authorizing the issuance and sale of two hundred seventy-two thousand dollars of Waterworks and Sewer System Refunding and Improvement Revenue Bonds of 1961, whose proceeds are to be used for the purposes above set forth, at less than the par value thereof, is hereby ratified, validated, approved and confirmed, and the bonds when issued and delivered, shall be valid and binding obligations of the Town of Ocean Drive Beach, payable according to the tenor prescribed by the proceedings taken by the Town Council of the Town of Ocean Drive Beach in authorizing the issuance and sale of such bonds.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R99, H1234)

No. 578**An Act To Provide That The Town Of Ocean Drive Beach In Horry County May Sell Or Trade Certain Property.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ocean Drive Beach may dispose of certain property.—The Town of Ocean Drive Beach in Horry County may sell or trade all that certain lot of land and buildings thereon situate in the County of Horry, Little River Township, State of South Carolina, known and designated as Lot No. 6 in Block "F" as shown on a map made by R. N. Welchel and A. L. Ervin, Engineers, dated August 25, 1938, and recorded in the office of the Clerk of Court for Horry County in Plat Book 2 at page 97.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R382, S331)

No. 579**An Act Providing For The Creation Of Watershed Conservation Districts In Horry County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Horry Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Horry County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Horry County.—Authority is hereby granted to form watershed conservation districts within Horry County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed

name of the watershed conservation district ; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition ; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate ; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Horry County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the super-

visors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the landowners within the proposed district shall have voted in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Horry County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of Directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by

twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6, and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which

the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Horry County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of land which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Horry County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition

shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The Supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the

directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Horry County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Horry Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Horry County.

SECTION 20. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R403, H1756)

No. 580

An Act To Authorize The Town Of Ocean Drive Beach In Horry County To Abandon Certain Streets.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ocean Drive Beach may abandon streets.—The Town of Ocean Drive Beach in Horry County is hereby authorized to abandon the following streets:

All streets shown and marked as “abandoned” on that certain plat of a portion of blocks “MC” and “NC”, Ocean Drive Estates, Section 1, dated March 25, 1961 and recorded in the office of the Clerk of Court for Horry County in Plat Book 31 at page 92, such streets being located on the western side of U. S. Highway No. 17.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R437, S369)

No. 581

An Act To Validate Certain Acts And Instruments Of The Horry County Board Of Education.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Acts and instruments of Horry County Board of Education validated.—All deeds, papers, instruments and acts heretofore done or executed in the name of the Horry County Board of Education or in the names of the members of the Horry County Board of Education, as such members, are hereby declared to be valid and fully binding and effectual on the Horry County Board of Education and its members and all parties concerned, regardless of whether such deeds, papers, instruments and acts were done or executed in the name of the Horry County Board of Education or in the names of its members as such members.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R583, H1772)

No. 582

An Act To Provide For A Referendum In Horry County To Determine Whether Or Not The Qualified Electors Wish To Increase The County Property Tax Levy By Ten Mills So That Teachers' Salaries May Be Increased.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County—referendum—teachers' salaries.—A referendum shall be held in Horry County at the same time as the primary to be held in June, 1962, to determine whether or not the qualified electors of Horry County wish to increase the county property tax levy by ten mills so that teachers' salaries may be increased.

SECTION 2. Conduct of referendum.—Ballots shall be provided at the various voting precincts in Horry County with the following

question written or printed thereon: "Shall the Horry County property tax levy be increased by ten mills so that teachers' salaries may be increased?"

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square opposite the word 'Yes' and those voting against the question shall deposit a ballot with a check or cross mark in the square opposite the word 'No.' "

The officials responsible for canvassing the results of the election shall within ten days certify the results to the clerk of court of the county and to the Secretary of State.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R652, H1981)

No. 583

An Act To Authorize The Horry County Treasurer To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The County For Use In The Purchase Of A Site And The Erection, Maintenance And Operation Of A Building To House An Industrial And Technical Training School If Such Be Established By The State In Horry County And To Provide For The Interest Rate, Term And Method Of Repayment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County may issue bonds for industrial training school.—The Treasurer of Horry County is hereby authorized to issue general obligation bonds of the county not in excess of one hundred fifty thousand dollars for use in the purchase of a site and the erection, maintenance and operation of a building to house an industrial and technical training school if such be established by the

State in Horry County. The interest rate and terms of payment of such bonds shall be as approved by the county legislative delegation.

SECTION 2. Payment.—The Auditor of Horry County shall levy and the Treasurer shall collect a tax on all taxable property in the county sufficient to meet the obligations as they mature; the amount of such levy shall be subject to approval by the county legislative delegation. The treasurer shall apply the proceeds of the levy to the payment of the indebtedness as it matures.

SECTION 3. Payment—further.—The special levy herein provided together with the full faith, credit and taxing power of Horry County is irrevocably pledged to the payment of all obligations issued pursuant to this act as the obligations mature.

SECTION 4. Exempt from taxes.—Obligations issued pursuant to this act are exempt from payment of all county, State and municipal taxes.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon Horry County being chosen as a location for an industrial and technical school by the State.

Approved the 23rd day of May, 1961.

(R665, H1771)

No. 584

An Act To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all of the taxable property in Horry County a sufficient number of mills, not to exceed seventeen (17) mills, to be determined by the auditor from assessment of the property therein, which together with fines, forfeitures, gasoline tax, road tax, fees, collected by various officers, and all income of the county shall raise the amount herein appropriated. For

county purposes for said county for the fiscal year 1961-1962 there is appropriated the following:

Item 1. Clerk of Court's Office—Expenses:

Clerk of Court	\$ 5,700.00
Deputy Clerk of Court	4,400.00
First Assistant—Steno-Clerk and Cashier	2,940.00
<i>Provided</i> , the Cashier shall be placed under bond in the same amount as now provided by law for the Clerk of Court.	
Two Assistant Steno-Clerks at \$2,550.00 each ..	5,100.00
One Assistant Steno-Clerk	2,580.00
Wages account for bailiffs, court crier, and jury boy	3,500.00
Jurors and Witness fees	24,500.00

Total, Item 1

\$ 48,720.00

Item 2. Treasurer's Office—Administrative Expense:

Treasurer—County Supplement	\$ 2,620.00
Deputy Treasurer	3,660.00
Two Assistant Steno-Clerks @ \$2,580.00 each ..	5,160.00

Total, Item 2

\$ 11,440.00

Item 3. Auditor's Office—Administrative Expense:

Auditor—County Supplement	\$ 2,520.00
Deputy Auditor	4,400.00
First Assistant Steno-Clerk	3,000.00
Four Assistant Steno-Clerks @ \$2,580.00 each ..	10,320.00
Equalization Board	5,000.00
Travel for Executive Secretary for County Board of Assessors @ 7¢ per mile not to exceed ..	1,000.00

Total, Item 3

\$ 26,240.00

Item 4. For Policing Horry County:

Sheriff	\$ 5,700.00
Deputy Sheriffs, two @ \$4,134.00	8,268.00
Secretary to Sheriff's Office and Coroner	3,000.00
County Police Commissioners, 6 @ \$400.00 each ..	2,400.00
Chief of County Police	5,088.00
County Police, 8 @ \$4,134.00 each	33,072.00
Secretary to County Police Commission	2,520.00

County Police for Windy Hill Beach	2,400.00
County Police for Atlantic Beach	682.11
County Jailors at Nixons Cross Roads 2 @ \$1,908.00 each; <i>Provided</i> , that said jailors shall be under the jurisdiction of the County Police Commission	3,816.00
Constable assigned to the office of Magisterial District No. 1; <i>provided</i> , that he shall serve only Criminal and Civil process issued out of said Magisterial Office	2,004.00
Travel for Constable assigned to Magistrate of District No. 1	600.00
Jailor for Horry County	2,700.00
Two Assistant Jailors and Night Radio Opera- tors @ \$2,580.00 each	5,160.00
Jail Matron	1,272.00
For operation and maintenance of County-owned Law Enforcement Equipment	21,600.00
Horry County Jail at Conway	18,000.00
<i>Provided</i> , that all municipal corporations of Horry County shall be charged the sum of \$1.50 per day for the dieting of prisoners in any County Jail.	
Conveying prisoners (For out of County meals only)	500.00
For purchasing Law Enforcement Vehicles and Equipment	14,000.00
Total, Item 4	\$132,782.11
Item 5. Probate Judge's Office—Administrative Expenses:	
Probate Judge	\$ 4,500.00
Deputy Probate Judge	3,000.00
Total, Item 5	\$ 7,500.00
Item 6. Coroner, Probation and Tax Collector's Offices —Administrative Expenses:	
Coroner	\$ 1,360.00
Travel for Coroner	1,500.00
Assistant Steno-Clerk to Tax Collector	2,580.00

	Part Time Secretary for Probation Office	636.00
	Travel for Probation Officer	600.00
	Inquest and Lunacy	700.00
	<hr/>	
	Total, Item 6	\$ 7,376.00
Item 7.	County Court Judge's Office—Administrative Expenses:	
	County Judge	\$ 12,000.00
	Court Stenographer for County Court	3,900.00
	<hr/>	
	Total, Item 7	\$ 15,900.00
Item 8.	Magistrate's Office—Administrative Expenses:	
	Magistrate at Aynor—Salary	\$ 2,100.00
	Magistrate at Bayboro—Salary	2,100.00
	Magistrate at Myrtle Beach—Salary	2,100.00
	Magistrate at Green Sea—Salary	2,100.00
	Magistrate at Nixons Cross Roads—Salary . .	2,100.00
	Magistrate at Loris—Salary	2,100.00
	Magistrate at Floyds—Salary	2,100.00
	Magistrate at Conway—Salary	2,760.00
	Magistrate's Secretary at Conway	2,580.00
	<i>Provided</i> , Magistrate's Secretary must be able and it shall be her duty to take down in shorthand and transcribe the testimony in all cases appearing in the Magistrate's Court, where such testimony is requested by either side of any litigated case. Also, this secretary shall be available to any other Magistrate for the purpose of taking testimony when necessary and shall be paid mileage at the rate of seven cents per mile.	
	<i>Provided</i> , further, that during the General Sessions Court all county police officers shall be available to the Court and available to aid and assist the Sheriff in calling witnesses and all other work necessary for the orderly procedure of the Court. <i>Provided</i> , further, that all county police officers shall serve all subpoenas and civil papers sent to their area by the Sheriff or attorneys or any other officer of the Court. Each county police officer shall make his return when	

called for, on any civil or criminal service.

Provided, further, no Magistrate in Horry County shall receive compensation for his services until his monthly report is accompanied by a probated statement to the effect that regular office hours have been established. Each magistrate shall establish regular office hours at his own discretion, consisting of at least two hours per day, and as much longer as necessary to transact the business of the office; and that magistrates in the incorporated areas of the county maintain office hours the same as now maintained or as long as necessary to transact the business of the office, not including Sundays or legal holidays.

Provided, further, that any recommendations made by the certified public accountant as set forth by his annual audit, and approved by the county board of commissioners, shall have the full force and effect of law and no department head in Horry County shall receive his salary until such recommendations as approved by the county board of commissioners have been adopted and put in full force and effect by such department head.

Total, Item 8	\$ 20,040.00
Item 9. (A) County Board of Commissioners—Administrative Expenses:	
Chairman of County Board—Salary	\$ 5,700.00
Commissioners—Travel expenses 6 @ \$400.00 each	2,400.00
Clerk of County Board and Purchasing Agent ..	4,500.00
Travel for Purchasing Agent	1,000.00
Secretary to County Board, Delegation and Development Board	2,760.00
Courthouse Custodian—employed by County Board	2,760.00
Travel for Custodian	250.00
Salaries Account for Miscellaneous Boards and Commissions	15,050.25

Provided, that out of the above sum appropriated, the Manager of the Horry County Farmers Market and the Directors of the Horry County Industrial Board shall receive such sums for salaries as agreed upon by the Horry Marketing Commission and the Horry Industrial Board.

Purchasing Agent's Account—For Purchasing Agent's Budget for purchasing supplies and equipment for county offices 40,000.00

Charities and Donations to be distributed by County Board in case of emergencies 1,500.00

Audit of County Offices 2,500.00

County Attorney 1,200.00

(B) Miscellaneous Expense—

Disbursed as herein provided:

Public Buildings 15,500.00

Rent Account 3,540.00

Insurance on Public Buildings 3,600.00

Social Security and Retirement 22,000.00

Office Bonds and Contingent Account 30,000.00

Officials' Bonds 2,000.00

Workmen's Compensation 3,000.00

County Employees Group Insurance Fund 3,000.00

Game Wardens' Travel, 5 @ \$40.00 per month 2,400.00

Clerk—Horry County Registration Board 318.00

County Service Officer—Office help 1,272.00

Service Officer—Travel 1,500.00

National Guard—County 1,600.00

National Guard—Myrtle Beach 1,600.00

Audit Machine for Purchasing Agent 6,000.00

Total, Item 9 \$176,950.25

Item 10. Other Administrative Expense:

County Farm Demonstration Agent's Office:

County Agent—Supplement \$ 424.00

First Assistant County Agent 424.00

Two Assistant County Agents 636.00

Boys' 4-H Club Work (White) 250.00

Girls' 4-H Club Work (White) 250.00

Girls' J.H.A. Work (Ocean Drive)	800.00
Women's Home Demonstration Agent's Office:	
Material	75.00
Office Supplies	75.00
Negro Home Demonstration Agent	1,920.00
Material (Home Demonstration)	50.00
Negro Home Demonstration Agent's office help	1,920.00
Negro 4-H Club Work (Boys)	100.00
Negro 4-H Club Work (Girls)	100.00
<i>Provided</i> , that no new personnel attached to the County Farm Demonstration Agent's Office shall receive the supplement hereinabove provided until they have first worked with such office for a period of at least two years.	

Total, Item 10\$ 7,024.00

Item 11. Appropriations for Miscellaneous Boards and Commissions:

Coastal Carolina Junior College (Scholarship Fund)	\$ 5,000.00
Development Board	7,450.00
<i>Provided</i> , that the above appropriation shall be disbursed only upon the approval of a majority of the County Development Board assembled in regular session.	
Civil Defense Director	1,200.00

Total, Item 11\$ 13,650.00

Item 12. (A) Health Department Expenditures:

County Health Unit:	
Administrative Expenses	\$ 17,443.00
For indigent and needy Cancer and Crippled Children patients	1,000.00
T. B. Association	1,000.00
(B) Welfare Department—	
Emergency Public Welfare—Assistance to be disbursed on a quarterly basis	8,000.00
Two Case Welfare Workers	4,631.14
Welfare Department Administrative	2,010.00

Provided, that this money shall be disbursed only on approval by the governing board of the Horry County Department of Public Welfare.

Vital Statistics 1,200.00

Total, Item 12\$ 35,284.14

Item 13. County Roads and Chain Gang:

Salaries (Guards, Truck drivers, Machine Operators, etc.)\$ 85,000.00

Chain Gang (Feeding prisoners, clothing and supplies, etc.) 34,000.00

County Roads 100,000.00

Purchasing New Machinery 65,000.00

Purchase and repair of said machinery to be approved by the county board of commissioners or a majority thereof. An itemized inventory and statement of expenditures shall be submitted to each member of the legislative delegation monthly.

Provided, that out of the above sum appropriated there is hereby designated a sum not to exceed \$4,000.00 for the purpose of the employment of a competent bookkeeper who shall make a complete inventory of all county road equipment, parts and assets at the Horry County Prison Camp and he shall keep a complete inventory of the expenses of each piece of equipment, including trucks, road equipment, drag lines, and all other equipment incidental to the operation of the Horry County Prison Camp and which is used for the maintenance of the Horry County Road System; such inventory and expenditures shall be placed upon a daily tally sheet setting forth the mileage of each vehicle and the amount of gas, oil and parts consumed by the vehicle. On the first day of each month an inventory will be compiled from the daily tally sheets and a monthly report made to the Horry County Legislative Delegation, the Horry County Purchasing Agent, and the Chairman of

the Horry County Board of Commissioners.
Provided, further, that the bookkeeper shall be
employed by a majority of the Horry County
Legislative Delegation, including the Senator.

Total, Item 13	\$284,000.00
Item 14. Horry County Memorial Library	\$ 5,000.00

Total, Item 14	\$ 5,000.00
Item 15. Plans for addition to County Courthouse	\$ 3,000.00

So much of this appropriation as is necessary
shall be used for the purpose of studying and
having presented to the County Board of Com-
missioners the feasibility of adding to the County
Courthouse.

Total, Item 15	\$ 3,000.00
----------------------	-------------

GRAND TOTAL	\$794,906.50
--------------------------	---------------------

**ESTIMATED REVENUES AND AVAIL-
ABLE CREDITS:**

Income Tax	\$ 97,000.00
Gasoline Tax	182,616.83
Liquor Tax	41,424.48
Beer and Wine Tax	10,232.12
Insurance License Fees	32,201.61
Probate Judge, Treasurer, Auditor, Tax Col- lector, Clerk of Court—Fees	69,756.66
Clerk of Court Fines and Magistrates' Fines ..	72,784.73
Bank Tax	4,727.35
Miscellaneous Revenues	25,000.00
Fees from Service of Civil Process and Bad Check Warrants	3,749.53

Total Estimated Revenue	\$539,493.31
-------------------------------	--------------

TOTAL AMOUNT TO BE RAISED BY TAXES	\$255,413.19
---	---------------------

SECTION 2. The County Board of Commissioners is hereby in-
structed and required to use the money herein appropriated for the

purposes specified and for no other purposes, and it is hereby forbidden in any way to overdraw or exceed the appropriation herein made for any purpose whatsoever, except upon the written consent of the Senator and a majority of the House Delegation. For the items covered in Section 1 of this act, it shall be unlawful for the clerk of the County Board of Commissioners or the Purchasing Agent of Horry County to draw or sign any warrant or drafts on the county treasurer overdrawing any appropriation or authorization. For the items covered in Section 1 of this act, it shall be unlawful for the Treasurer of Horry County to pay from funds in his hands any amount not covered by the appropriation herein made or authorized by the written consent of the Senator and a majority of the House Delegation. Any appropriation herein made may be increased or decreased by the written consent of the Senator and a majority of the House Delegation. *Provided*, further, that the County Board of Commissioners of Horry County is hereby instructed to prorate the amount of money herein appropriated for County Roads and Chain Gang and all other divisions and departments of the county government, except regular salaries which are to be paid monthly, on a quarterly basis, to the end that no department shall expend more than one-fourth of the appropriated funds during any quarterly period of the fiscal year beginning July 1, 1961, and ending June 30, 1962. *Provided*, that the amounts appropriated in Item 13 of this act shall be expended only after the written approval and authorization of a majority of the County Board of Commissioners. The County Board of Commissioners shall use as much as may be necessary of the amounts appropriated therein for setting up a road program in Horry County, which program shall be carried out by the County Supervisor under the direction and control of the County Board of Commissioners.

SECTION 3. The jailor and/or matron shall receive no fees for dieting prisoners. The Horry County Police Commission shall have the duty to inspect the Horry County Jail at least once a month to see that it is kept clean at all times and that a jailor or county police officer is on duty at all times. The purchasing agent is authorized to make purchases of all food, supplies, equipment and any and all things necessary for the proper maintenance of the county jail and the food and clothing of the prisoners therein. The jailor is to act as jailor only, and he shall make no arrests outside of the jail, nor shall he be allowed any compensation for the conveyance of prisoners. No person shall receive compensation for conveyance of prisoners.

SECTION 4. The County Board of Commissioners shall employ a certified public accountant (CPA) for the purpose of auditing semi-annually the books and examining the offices of Horry County, including the department of education, and the County Board of Commissioners may make payment for such services not to exceed two thousand five hundred dollars, as provided in this act. Each member of the Legislative Delegation from Horry County shall be furnished by the accountant making the audit, a copy of the audit.

SECTION 4A. The County Board of Commissioners shall employ some suitable person who shall be designated custodian of the Horry County Courthouse and grounds, said custodian to serve in such capacity at the pleasure of the Board of Commissioners. The custodian shall be charged with the responsibility for all janitor service at the Horry County Courthouse, the Horry County Department of Education Building, the county office building on 4th Avenue, and the Horry County Memorial Library. The custodian of the courthouse and grounds is further charged with the responsibility of maintaining the grounds and protecting the shrubbery and such other duties as may be imposed upon him by the County Board of Commissioners. The custodian shall be given such assistants as the County Board of Commissioners may deem necessary.

SECTION 5. The Senator and a majority of the House Delegation may employ a county attorney and pay same an amount not to exceed that provided for this purpose in this act. It shall be the duty of the attorney selected by the Legislative Delegation to advise all boards, magistrates, and officers of the county and, in addition thereto, it shall be his duty to represent the county in all cases wherein the county's interest is affected, and he shall represent the sheriff's office and the county police in criminal proceedings when called upon.

SECTION 6. Before taking office each magistrate shall give bond in a sum to be fixed by the County Board of Commissioners, conditioned upon the faithful performance of his duties. The premiums on the bonds shall be paid by the county. The magistrates and coroner shall be required to put all material state witnesses under bond as now provided by law, and at least ten days before the meeting of the Court of General Sessions shall lodge all papers pertaining to said court with the clerk of court, except cases which happen within the said ten-day period, and cases where defendants have demanded pre-

liminary hearings in writing and for good cause the magistrate has been unable to give a preliminary hearing. It shall be the duty of the sheriff and the chief of the county police to confer with the magistrates from time to time, familiarizing themselves with pending cases, attend inquests and see that witnesses are subpoenaed, placed under bond and the paper lodged in the clerk's hands as herein provided. The sheriff and the county police shall corporate with and assist the magistrates in preserving the peace and good order of the community.

SECTION 7. All books, supplies and material purchased under the provisions of this act shall be purchased by the Horry County Purchasing Agent as provided by special act.

SECTION 8. Out of the funds provided for "County Roads and County Road Machinery" in this act, the Board of Commissioners of Horry County is hereby authorized to purchase any necessary new machinery for road purposes.

SECTION 9. The Auditor of Horry County is hereby required to put the address of the taxpayer on each treasurer's duplicate. The Treasurer of Horry County is hereby authorized and directed to mail to taxpayers notice of taxes due in his office. Both the auditor and treasurer shall pay for the work required in this section from funds provided for clerical help in their respective offices, as provided for by this act. The failure of the treasurer to mail any tax notice shall in no wise relieve the taxpayer of obligation to pay such tax.

No county official or employee who is in any way connected with the levying or collecting of taxes shall bid on any property at any tax sale, direct, indirect, or through a third party. Any violation of this provision shall immediately be brought to the attention of the County Board of Commissioners, and shall be prima facie cause for removal from office upon receipt of a recommendation to that effect by the County Board of Commissioners to the Governor or other proper official, and shall be prima facie cause for the immediate termination of employment.

SECTION 10. Twenty per cent of the liquor, wine and beer tax allotted to Horry County shall, as received by the treasurer, be paid to the Horry County Memorial Library Commission, and the Commission shall use the funds for the operation of the Horry County Memorial Library and for the purchase of equipment, books, and

other necessities for the Horry County Memorial Library, and for the equipping and purchasing of equipment for the school libraries of Horry County, the said funds to be spent and allotted to the libraries as the Library Commission, or a majority thereof, shall determine.

SECTION 11. A majority of the Delegation, including the Senator, shall employ the Horry County Tax Collector and up to four Deputy Tax Collectors. The Tax Collector shall receive as compensation in lieu of salary the sum of one dollar for each execution collected and two per cent commission of all taxes collected. The Deputy Tax Collector shall receive one dollar on each execution collected.

Provided, the Horry County Board of Commissioners shall prescribe the necessary procedure for the keeping of records and making of reports for the office of the Tax Collector, not otherwise covered by existing law, subject to the approval of a majority of the Legislative Delegation, including the Senator.

SECTION 12. The clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall furnish to the Senator and each member of the House Delegation, monthly, a statement in detail showing each expenditure made during the month, for what purpose expended and amount of the expenditure, and the balance remaining in the account from which the expenditure was made. The clerk of the County Board of Commissioners and the Horry County Purchasing Agent shall make a written report to each member of the County Board of Commissioners of his activities during the month and proposals that he intends to make to the County Board of Commissioners five days prior to the regular meetings of the County Board of Commissioners.

SECTION 13. The County Board of Commissioners shall furnish to the Senator, and each member of the House Delegation, a statement before the fifteenth day of February of each year, showing their activities during each quarterly period, along with a report of the financial status of the account and any recommendations that they see fit to make to the delegation. The County Board of Commissioners shall furnish to the Senator and each member of the Legislative Delegation a statement in detail showing a proposed county supply bill for the following year and also any legislation that, in their opinion, they think should be enacted.

SECTION 14. No magistrate shall receive any part of fees, compensation or mileage in connection with tax execution warrants except the one dollar allowed him by law. No county official shall receive any fees or compensation unless provided by law.

SECTION 15. The house now owned by Horry County, on Second Avenue in the Town of Conway, shall be used by the jailor of Horry County as his residence. No part of the county jail shall be used for residential purposes.

SECTION 16. Any special authorization for county purposes to be hereafter made from the contingent account in Item 9B of Section 1 of this act by the Senator and members of the House of Representatives in excess of one hundred dollars shall have the approval of the Board of County Commissioners of Horry County or a majority thereof.

SECTION 17. All regular county employees, receiving regular salaries, shall be allowed two weeks vacation with pay, and the administrative heads of all departments are hereby instructed and required to arrange their work so that each employee of the county shall be allowed the two weeks vacation with pay with the least possible inconvenience to the work of the office or department affected. In addition the following legal holidays and no others shall be observed by the employees of Horry County: New Year's Day, Independence Day—July fourth, Labor Day—the first Monday in September, Armistice Day—November eleventh, Thanksgiving Day and Christmas Day. Whenever any of these fall on Sunday, the Monday following is prescribed. No person shall receive any days off other than those herein provided, and in the event of any loss of time from work, the employee shall forfeit his right to compensation for the day or days he is absent from work.

SECTION 18. The Clerk of Court shall, after each term of court, make a detailed report to the County Board of Commissioners and the Legislative Delegation on the amount of jury and witness fees spent for said term of court; *provided*, further, only two regular bailiffs shall be employed in Horry County.

SECTION 19. The County Board of Commissioners is hereby instructed to require out of the jurors and witness fees an itemized statement of all disbursements, such statement to be made after each term of court.

SECTION 20. The Clerk of Court's bond shall be twenty-five thousand dollars.

SECTION 21. Immediately after Magistrate and City Courts all prisoners sentenced to County Chain Gang shall be transferred to the County Jail by the county police or Sheriff's Deputy serving the court and a Deputy Sheriff or the county police shall be instructed by the proper authority to transfer city prisoners to county jail on the same day of trial.

SECTION 22. All travel shall be paid on a monthly basis of not more than one-twelfth of the total amount appropriated for travel.

SECTION 23. All vital statistics of Horry County shall be transferred from the office of the Clerk of Court to the Horry County Health Department by July 1, 1961.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed. If any section or provision of this act shall be held unconstitutional, such unconstitutionality shall not affect, impair, or invalidate any of the remaining sections or provisions.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R132, H1344)

No. 585

An Act To Provide For The Air Conditioning Of The Ridgeland Hospital In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Ridgeland Hospital to be air conditioned.—The Board of Directors of the Ridgeland Hospital in Jasper County is hereby authorized and directed to immediately air condition the Ridgeland Hospital.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R419, H1791)

No. 586

An Act Directing The Treasurer Of Jasper County To Transfer The Sum Of Ten Thousand Dollars From The General Fund Of The County To The Contingent Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County to transfer funds.—The Treasurer of Jasper County is hereby directed to transfer from the general fund of the county to the contingent fund the sum of ten thousand dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R555, H1936)

No. 587

An Act To Authorize The Board Of Education Of Jasper County And The Treasurer Of Jasper County To Borrow Forty-Five Thousand Dollars For School Construction And Repair And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County Board of Education may borrow money.—The Board of Education of Jasper County and the Treasurer of Jasper County are hereby authorized to borrow for the purpose of school construction and repair the sum of forty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board of education and the Treasurer of Jasper County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive equal annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes the Auditor of Jasper County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R641, H1935)

No. 588

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1961, To Provide For The Expenditure Thereof, And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1960.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied upon all of the taxable property of Jasper County seventy-six mills by the auditor from assessment of the property therein which together with fines, forfeitures and taxes collected by various officers and all income of the county shall raise the amount herein appropriated and for the purposes herein stated.

Item 1.	Roads and Bridges	\$ 24,000.00
	<i>Provided</i> , that the maintenance and operation of county-owned cars will be paid from this account upon the approval of the county board of commissioners.	
	Total	\$ 24,000.00
Item 2.	Clerk of Court:	
	Salary, Clerk of Court	\$ 4,600.00
	Salary, Deputy Clerk	1,920.00
	Total	\$ 6,520.00
Item 3.	Sheriff's Office:	
	Salary for Sheriff	\$ 4,600.00
	2 Deputy Sheriffs @ \$3,500.00 each	7,000.00
	Salary of Clerk	1,920.00
	Purchase four automobiles	8,000.00
	<i>Provided</i> , such autos shall be for the official use only of the Supervisor, Sheriff and two Deputy Sheriffs and shall be clearly marked.	
	Total	\$ 21,520.00
Item 4.	Treasurer's Office:	
	Treasurer's salary, an amount sufficient to supplement the amount provided by the State, so as to make his total salary \$4,600.00	\$ 1,102.00
	Salary for clerk, for Auditor and Treasurer ...	2,400.00
	Total	\$ 3,502.00
Item 5.	Auditor's Office:	
	Auditor's salary, an amount sufficient to supplement the amount provided by the State so as to make his total salary \$4,600.00	\$ 1,102.00
	Total	\$ 1,102.00
Item 6.	Board of Education:	
	Superintendent of Education, salary, an amount sufficient to supplement amount provided by the State so as to make his total salary \$4,600.00 ..	\$ 227.50
	Salary of Clerk	2,400.00

	Members of Board of Education, 5 @ \$250.00 each	1,250.00
	Total	\$ 3,877.50
Item 7.	Judge of Probate's Office:	
	Salary, Probate Judge	\$ 4,600.00
	Salary of Clerk	960.00
	Total	\$ 5,560.00
Item 8.	Coroner's Office:	
	Salary for Coroner	\$ 534.00
	Total	\$ 534.00
Item 9.	County Board of Commissioners:	
	Salary, Supervisor of Roads	\$ 4,600.00
	Salary of Commissioners, 4 @ \$800.00	3,200.00
	Clerk, Salary	960.00
	Total	\$ 8,760.00
	<i>Provided</i> , the county board of commissioners shall assume the responsibility of county roads and bridges in their respective townships and shall program all construction and maintenance. The program of work will be outlined and approved by the county board every first Monday. <i>Provided</i> , that Gillisonville Square and Court-house Grounds shall be maintained and kept up by the Supervisor.	
Item 10.	Magistrates and Constables:	
	Magistrate at Ridgeland	\$ 2,734.80
	Constable at Ridgeland	1,272.00
	Magistrate at Hardeeville	2,289.60
	Constable at Hardeeville	877.68
	Magistrate at Grays	922.20
	Constable at Grays	877.68
	Magistrate at Tillman	922.20
	Constable at Tillman	877.68
	Constables' travel	1,200.00
	<i>Provided</i> , that the constables at Ridgeland and Hardeeville shall receive thirty dollars per month	

as travel supplement; *provided, further*, that the constables at Grays and Tillman shall receive twenty dollars per month travel supplement.

		<hr/>
Total		\$ 11,973.84
Item 11. County Jail:		
Salary of Jailor		\$ 2,160.00
<i>Provided</i> , sheriff may use jailor as deputy when deemed advisable.		
Dieting of Prisoners (\$1.00 per day)		1,800.00
Jail Expense		600.00
		<hr/>
Total		\$ 4,560.00
Item 12. Court Expense:		
Court Expenses		\$ 2,000.00
<i>Provided</i> , that bailiff and jurors shall be paid five dollars per day.		
		<hr/>
Total		\$ 2,000.00
Item 13. Health Work:		
Health Unit, plus balance from previous year ..		\$ 4,594.00
		<hr/>
Total		\$ 4,594.00
Item 14. Public Buildings		\$ 12,000.00
		<hr/>
Total		\$ 12,000.00
<i>Provided</i> , that no private telephones in private residences will be paid from this account. Any official serving Jasper County whose duties may require long distance calls after office hours will be provided with a credit card issued by the county board of commissioners.		
Item 15. Farm and Home Demonstration Work:		
Expense, County Agent		\$ 500.00
Expense, Home Demonstration Agent		500.00
Stenographer for County Home Demonstration and County Agent		575.00
Assistant County Agent, Salary		2,480.00
Boys' 4-H Club Work		125.00

Girls' 4-H Club Work and Farm Women's Work		175.00
Demonstration Supplies for Home Demonstration Agent		50.00
Stamps and incidentals, office supplies for County and Home Demonstration Agent		100.00
Corn Contest		100.00
Total		\$ 4,605.00
Item 16. Rent:		
Forestry Office		\$ 96.00
Farm Security Administration Office		420.00
Total		\$ 516.00
Item 17. County's portion of support to public schools ..		\$242,080.00
<i>Provided</i> , that all school budgets will be submitted to the county board of education prior to February first of each year. <i>Provided, further</i> , that the county board of education shall advise the delegation of the school needs for each fiscal year prior to March first of each year.		
Total		\$242,080.00
Item 18. Miscellaneous:		
County Attorney		\$ 742.00
<i>Provided</i> , he shall handle all small county cases and advise all county officials except the sheriff on criminal matters.		
County Service Officer, supplement to salary ..		240.00
Janitor, Courthouse and Grounds		1,780.80
Janitor, Agricultural Building, Welfare Office and Health Center		695.00
<i>Provided</i> , that this shall be taken care of by the Supervisor.		
Three Forestry Wardens @ \$420.00		1,260.00
<i>Provided</i> , that all wardens receiving this travel must be under the supervision of the Jasper County Forestry Board.		
Travel Outside County		1,200.00

The following county officials when traveling outside of Jasper County on official business shall be paid seven cents per mile and expenses: Senator, Representative, Sheriff, Deputy Sheriffs, Supervisor, Superintendent of Education, Probate Judge, Auditor, Treasurer, Clerk of Court and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided*, that all claims are approved by the County Commissioners. *Provided, further*, that prior approval of the Supervisor shall be obtained for the purpose of making trips outside of the county except for law enforcement officers.

Board of Assessors and Equalization	1,500.00
Special Investigator	4,600.00

Provided, that the Board of Assessors and Equalization shall appoint all investigators and shall prescribe their powers and duties.

Secretary, Board of Registration	540.00
Public Welfare Fund	4,440.00

Plus any balance from previous year. This shall be used by the Public Welfare Board.

Attendance Teacher Charity Fund	200.00
Post Mortems, Inquests and Lunacy	600.00

Provided, Coroner's and Magistrates' jurors shall be paid one dollar per day.

Vital Statistics	400.00
------------------------	--------

There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridge-land Hospital; *provided*, that the books and records of the hospital be audited along with the county books

Physician	12,000.00
Printing, Postage, Stationery and Advertising ..	300.00
State Retirement System	4,000.00
Social Security	2,600.00
Library Fund	2,400.00
National Guard Fund	2,550.00
	1,000.00

Provided, such fund shall be used for the payment of fuel, lights and telephone.

Equipment, National Guard	200.00
Jasper County Farm Bureau Marketing Commission	200.00
Jasper County Development Board	1,000.00
Bond Premiums	800.00
Burial Expense, Paupers	200.00
<i>Provided</i> , that this expense be approved by the Public Welfare Board.	
Forestry Ranger	300.00
Fire Tower Wardens	720.00
School Lunch Program	2,000.00
<i>Provided</i> , this shall only be paid upon vouchers approved by the school lunch supervisor.	
Hospitalization	6,000.00
<i>Provided</i> , this shall be paid when approved by the Public Welfare Board and <i>provided, further</i> , that a list of patients and the amount be made available to the Board of Commissioners at its request.	
Miscellaneous Contingent Fund	10,000.00
<i>Provided</i> , that this fund shall be used upon written approval of the legislative delegation as they deem necessary to supplement any account except salaries.	
Audit of County Books	2,000.00
Total	\$ 66,467.80
GRAND TOTAL	\$424,172.14
Less Estimated Revenues other than Taxes:	
Fines and Licenses	\$ 45,000.00
Income Tax	19,000.00
Beer and Wine Tax	2,500.00
Liquor Tax	8,500.00
Gas Tax (1 cent)	42,000.00
Miscellaneous	13,000.00
Total	\$130,000.00
Amount to be raised by Taxation	\$294,172.14

SECTION 2. The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and seven cents per mile for necessary travel.

SECTION 3. The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

SECTION 4. The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each case and a receipt from the treasurer.

SECTION 5. The grand jury shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general funds. *Provided,* that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

SECTION 6. It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

SECTION 7. The clerk of court is hereby authorized and required to pay jurors seven cents mileage for each day's attendance upon court.

SECTION 8. No claims shall be paid by the supervisor or the county board unless the same are itemized and probated.

SECTION 9. Any county official or employee who falsifies any claim against the county shall be subject to immediate dismissal or removal from office.

SECTION 10. The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of the Jasper County Legislative Delegation.

SECTION 11. In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The officers shall execute form of notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

SECTION 12. The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspapers published in Jasper County asking for bids for such equipment, materials, supplies, goods, wares, or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the supervisor may reject any or all bids.

SECTION 13. The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

SECTION 14. The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care.

SECTION 15. Any funds accruing to the general fund of the county in excess of the amounts appropriated by this act may be transferred to a fund and be utilized for renovation of the courthouse upon approval of the legislative delegation.

SECTION 16. Should the General Assembly in any subsequent year fail to enact an appropriations act for Jasper County the appropriations and tax levy herein set forth shall be the appropriations act for such subsequent year for Jasper County.

SECTION 17. Should a deficit result from the appropriations made in the 1960-1961 county appropriations act there is hereby appropriated a sufficient amount to cover this deficit.

SECTION 18. The Treasurer of Jasper County is authorized upon the written approval of the legislative delegation to borrow such sums as may be necessary to meet the obligations set forth in the county appropriations act beginning July 1, 1960.

SECTION 19. All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R673, H1885)

No. 589

An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1961-1962, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, and shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

SECTION 2. The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds, together with an amount not to exceed the proceeds of a seven mill levy to be utilized to defray the general operating expenses of the Kershaw

County Memorial Hospital including cost of charity care, such levy to be approved by the delegation.

SECTION 3.

Item 1. Administrative Department:

A. Auditor's Office

(1) Salary of Auditor (county's portion)\$ 1,720.00

(2) Deputy Auditor 3,660.00

Provided, that the Deputy Auditor shall be appointed by the Auditor with the approval of a majority of the County Legislative Delegation.

(3) Board of Assessors 1,500.00

Provided, that each member shall receive fifteen dollars per day while working, plus seven cents per mile travel while engaged in work.

Total\$ 6,880.00

B. Treasurer's Office

(1) Salary of Treasurer (county's portion) 2,740.00

(2) Clerk to Treasurer 2,640.00

Total 5,380.00

C. Tax Collector's Office

(1) Salary, Tax Collector 3,840.00

(2) Travel, Tax Collector 1,200.00

(3) Clerk to Tax Collector 2,640.00

Total\$ 7,680.00

Total, Item 1\$ 19,940.00

Item 2. Judicial Department:

A. Clerk of Court

(1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance)\$ 6,000.00

(2) Deputy Clerk of Court 2,880.00

(3) Salary (two additional clerks, \$2,640.00 each) 5,280.00

Total\$ 14,160.00

B. Master

(1) Salary of Master 1,800.00

Salary of Master as Judge of Juvenile-Domestic Relations and Special Court 4,200.00

(2) Secretary to Master and Judge, Salary	2,400.00
(3) Additional Secretarial Assistance for Master..	600.00
(4) Office Rent	600.00

Total	\$ 9,600.00
-------------	-------------

C. Court of General Sessions and Common Pleas

(1) Jurors, witnesses, bailiff and court crier	10,000.00
<i>Provided</i> , bailiff, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in their duties.	
(2) Supplement to Fifth Circuit Court Reporter..	700.00
(3) Salary, Assistant Solicitor, Fifth Circuit	900.00
(4) Kershaw County Probation Officer, Salary Supplement	300.00

Provided, that the Probation Officer shall be available to assist the Judge of the Juvenile-Domestic Relations and Special Court as may be required by the Judge thereof.

Total	\$ 11,900.00
-------------	--------------

D. Probate Judge

(1) Salary, Probate Judge	6,000.00
(2) Salary, Clerk to Probate Judge	2,640.00

Total	\$ 8,640.00
-------------	-------------

E. Magistrates

(1) Salaries

Magistrate for DeKalb Township	3,840.00
Magistrate for Town of Kershaw	1,760.00
Magistrate for Flat Rock Township	800.00
Magistrate for Buffalo Township	1,020.00
Magistrate for West Wateree Township	1,620.00

Provided, that the Magistrate for DeKalb Township shall keep same office hours as other courthouse officials.

Provided, the Magistrate of Flat Rock shall keep office hours at Liberty Hill, S. C. at least one day a week and shall certify that this condition has been fulfilled prior to receiving his monthly salary.

Provided, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building.

Total	\$ 9,040.00
F. County Attorney	
(1) Salary	600.00

Provided, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the Legislative Delegation.

Provided, further, the County Attorney shall be elected by a majority of the Legislative Delegation for a period of one year.

Total	\$ 600.00
G. Office of Coroner	
(1) Salary	1,140.00
(2) Inquest stenographer, if so much be needed ..	100.00

Provided, the stenographer shall be paid at the rate of \$5.00 per inquest.

Total	1,240.00
-------------	----------

Total, Item 2	\$ 55,180.00
---------------------	--------------

Item 3. Law Enforcement:

A. Sheriff's Office

(1) Salary of Sheriff	\$ 6,000.00
(2) Salary of Chief Deputy Sheriff	4,020.00
(3) Clothing allowance for Deputy Sheriff	175.00

Total	\$ 10,265.00
-------------	--------------

B. Sheriff's Deputies

(1) Salaries, Seven Deputy Sheriffs	23,100.00
(2) Uniforms, Deputy Sheriffs	700.00
(3) Ammunition and Supplies	100.00
(4) Deputy Sheriffs' automotive expense, including maintenance, upkeep and purchase of new vehicles	12,000.00

(5) Salaries to Radio Dispatchers 6,600.00

Total 42,430.00

C. Jail Expense

(1) Operation of Jail, if so much be needed 3,000.00

(2) Jailor 1,800.00

Total\$ 4,800.00

Total, Item 3\$ 57,495.00

Provided, that all expenditures authorized herein shall be subject to the approval of the County Board of Directors and shall be in accordance with such accounting systems, procedures, rules and regulations, as they may specify.

Item 4. Public Works:

A. Board of Directors

(1) Salary, Clerk to Board of Directors and Administrator\$ 6,000.00

(2) Assistant to Clerk 3,600.00

Total\$ 9,600.00

B. Janitors

(1) Salary of Janitors at Courthouse and Agricultural Building 3,240.00

Total\$ 3,240.00

C. Miscellaneous

(1) Telephone (all offices) 3,000.00

(2) Printing, postage, stationery and supplies, if so much be needed 7,500.00

(3) Public Building Maintenance, lights and water 10,000.00

Total\$ 20,500.00

D. Insurance

(1) On prisoners 500.00

(2) Bond premiums 1,000.00

(3) Premiums on Workmen's Compensation 2,000.00

(4) Insurance, County Motor Vehicles 1,300.00

Provided, that the above monies shall be spent only on approval of the County Board of Directors.

- (5) Retirement and Social Security Payments for County employees 15,000.00

Total \$ 19,800.00

Total, Item 4 \$ 53,140.00

Item 5. Health Department:

A. Salaries

- (1) Three nurses at \$3,318.00 each \$ 9,954.00
(2) Clerk 1,774.00

Total \$ 11,728.00

B. Travel

- (1) Health Officer 840.00
(2) Two Sanitarians at \$840.00 each 1,680.00
(3) Four nurses at \$840.00 each 3,360.00

Total \$ 5,880.00

C. Veterinarian

- (1) Salary (part time) 780.00

Total \$ 780.00

D. Expenses and Supplies

- (1) To be spent if needed on approval of Kershaw County Board of Health 600.00
(2) For supplies and maintenance of Kershaw Health Center, if so much be needed, to be spent on approval of the Kershaw County Board of Health 300.00

Total \$ 900.00

E. Miscellaneous Health Appropriations:

- (1) Vital Statistics 340.00
(2) Post Mortems and Lunacy 350.00

Provided, that the above payments shall be made

only on approval of the Board of Health of Kershaw County.

Total\$ 690.00

Total, Item 5\$ 19,978.00

Item 6. Military:

A. Service Officer (Salary)\$ 4,500.00

(1) Office Rent 420.00

(2) Office Expense, Telephone and out of town travel 960.00

Total\$ 5,880.00

B. Kershaw Guards

Combat Support Co. 3d Battle Group, 118th Inf. S.C.A.N.G. 500.00

Provided, that the above sum shall be expended for upkeep, maintenance and repairs on the Kershaw County Armory; and *provided*, further, that the Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare League for functions at a rental not to exceed \$25.00 per night.

Total\$ 500.00

Total, Item 6\$ 6,380.00

Item 7. Farm Aid:

A. Salary Subsistence

(1) Farm Agent\$ 720.00

(2) Assistant Agent 520.00

(3) Home Agent 720.00

(4) Assistant Home Agent 520.00

(5) Clerk 720.00

Total 3,200.00

B. Assistance for Colored Farmers

(1) Farm Agent (Salary) 720.00

(2) Home Agent (Salary) 1,170.00

(3) Clerk 1,380.00

(4) Home Agent (Travel)	600.00
(5) Farm Agent (Rent)	240.00
<hr/>	
Total	\$ 4,110.00
C. Miscellaneous Farm Aid	
(1) 4-H Club Work (White)	100.00
(2) 4-H Club Work (Colored)	100.00
(3) Kershaw County Chapter of Future Home- makers of America	100.00
(4) Council of Farm Women	250.00
(5) Demonstration Material for Home Agent (white)	50.00
<hr/>	
Total	600.00
D. Cotton Rent Platform	675.00
<hr/>	
Total	675.00
E. Supplement to salary of four County Fire Wardens	1,680.00
<hr/>	
Total	1,680.00
<hr/>	
Total, Item 7	\$ 10,265.00

Item 8. Welfare:

A. County Welfare Board, to be paid at the rate of ten dollars per meeting attended	\$ 360.00
Travel for worker	300.00
<hr/>	
Total	660.00
B. Camden and Kershaw County Children's Home <i>Provided</i> , above shall be spent at a rate of \$1.50 per day for child care of indigent children of Kershaw County, and the above sums shall be paid semi-annually upon certification by the president and secretary of the Margaret C. May- field Home that care and maintenance were ac- tually rendered for the number of days for which claim is made.	3,000.00
<hr/>	
Total	3,000.00

- C. County Poor 4,000.00
Provided, that this amount shall be spent by
 the Welfare Department subject to the advice
 of the County Board of Directors.

Total 4,000.00

Total, Item 8\$ 7,660.00

Item 9. Libraries:

A. County Library

- (1) Acting Head Librarian, Salary\$ 2,500.00
 (2) Assistant Librarian, Salary 2,150.00
 (3) New Assistant Librarian, Salary 2,000.00
 (4) Operation of Bookmobile, gas, oil, tires and re-
 pairs 400.00
 (5) Books 2,000.00
 (6) Binding and Mending 1,400.00
 (7) Office Supplies 250.00
 (8) Equipment 50.00
 (9) Miscellaneous Fund 100.00
 (10) Insurance 195.00
 (11) Travel 135.00

Total 11,180.00

B. DeKalb Negro Branch

- (1) Salary for Librarian 2,000.00
 (2) Books and Supplies 1,500.00

Total 3,500.00

C. Bethune Library 600.00

D. Kershaw Memorial Library 300.00

Total 900.00

Total, Item 9\$ 15,580.00

Item 10. Miscellaneous:

- A. Contingent Fund\$ 5,000.00
 To be spent only if approved by a majority of
 the County Legislative Delegation.

Total 5,000.00

B. For merit raises to county clerical employees as provided in Section 7, if so much be needed . . .	6,500.00
Total	6,500.00
C. Audit	1,500.00
Total	1,500.00
D. Secretary to Delegation	600.00
Total	600.00
E. Chamber of Commerce	2,000.00
Total	2,000.00
F. County Rescue Squad	500.00
Bethune Rescue Squad	500.00
Total	1,000.00
G. Camden Civil Air Patrol	500.00
Total	500.00
Total, Item 10	\$ 17,100.00

Item 11. Park and Recreation Commission:

(1) Salary, Superintendent	\$ 4,020.00
(2) Salaries, Life Guards	1,440.00
(3) Labor, Grounds, etc.	1,000.00
(4) Gas and Oil	400.00
(5) Lights	180.00
(6) Telephone	230.00
(7) Incidentals (Insurance, etc.)	350.00
(8) For Colored Park, including cost of construction, operation and maintenance, if so much be necessary	1,000.00
<i>Provided, that the Kershaw County Colored Park Commission is authorized and empowered to borrow a sum not to exceed twenty thousand dollars, if so much be necessary, to complete construction of the colored park; the amounts</i>	

to be borrowed to be subject to the approval of
the Kershaw County Delegation.

Total, Item 11\$ 8,620.00

GRAND TOTAL\$271,338.00

Estimated Revenues and Available Credits:

Magistrates' Fines	\$ 58,000.00
County Officers' Fees	20,000.00
Beer and Wine Tax	7,000.00
Liquor Tax	27,000.00
Insurance Fees	18,000.00
Tax Collector	6,000.00
Bank Tax	3,000.00
Income Tax	40,000.00
County Service Officer	4,500.00

Total Estimated Revenues and Available Credits \$183,500.00

Total amount to be raised by taxation\$ 87,838.00

SECTION 4. The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided*, however, that the above expenses shall be paid only when a notarized statement is filed with and approved by the County Board of Directors.

SECTION 5. The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to show on such dockets what disposition is made of each case, and shall enter on such dockets all costs which may be assessed against the parties of such case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided*, however, that no magistrate in Kershaw County shall be

paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

SECTION 6. The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of such board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided*, however, that all salaries appropriated are in lieu of all fees.

SECTION 7. Clerical employees, other than elected officials who have had at least ten years of satisfactory service in the employ of the county, shall receive a supplement to their salary in the sum of thirty dollars per month. *Provided*, that any such employees with more than five years of satisfactory service shall receive a supplement of twenty dollars per month. *Provided*, further, that any such employees with more than one year of satisfactory service shall receive a supplement of ten dollars per month. *Provided*, further, that the director and employee of the Kershaw County Welfare Department and Sheriff's Deputies and Radio Dispatchers shall be included in this section.

SECTION 8. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economic Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors.

SECTION 9. If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of a majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, the delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the Clerk of the County Board of Directors for expending the

funds thus appropriated; and the county board of directors may borrow, if necessary, such amounts as may be required to make such increase or additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

SECTION 10. The general supervision and control of the business and financial affairs of the county shall be vested in a County Board of Directors, consisting of four members, one from each Township, the present elected member from each Township to constitute the said Board. The Board shall have all of the functions and shall exercise all of the powers and duties heretofore performed by the County Governing Board and the County Administrator. Effective July 1, 1962, the office of County Administrator is abolished and all parts of Act No. 364 of the 1953 General Assembly inconsistent herewith are hereby repealed. This section shall be a permanent provision of the statute law of this state.

SECTION 11. All purchases of all county departments shall be made by the County Board of Directors and all expenditures are to be approved by said Board. The said Board may require such systems of vouchers and accounting as they may see fit.

SECTION 12. The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw County schools for the fiscal year beginning July 1, 1961, and ending June 30, 1962, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget may include a supplement to the salary of the superintendent of education provided that his total salary shall not exceed the sum of six thousand dollars; *provided*, that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association and approved by the county board of education and the legislative delegation; and *provided*, further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education and a sum to supplement the administrative personnel of the superintendent of education's office, including the attendance teacher and the school lunchroom supervisor. *Provided*, further, that the children who reside in the attendance area of the Pine Grove School who are presently enrolled in the Camden City Schools shall be authorized to continue to attend the said schools during the period covered by this act.

SECTION 13. All materials, supplies or equipment shall be purchased for all departments of the county by the county Board of Directors after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by each department in writing at least thirty days in advance of their requirements. No voucher for the payment of any purchase in excess of five hundred dollars shall be honored by the county treasurer unless the county Board of Directors and clerk of the Board of Directors shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Board of Directors.

SECTION 14. All monies received by Kershaw County from the one cent gasoline tax shall be expended by the county governing board in payment of all necessary expenses for the building, maintenance and upkeep of county roads and buildings and all administrative expenses in connection therewith, including salaries for the elected members of the county governing board not to exceed the sum of one thousand and eighty dollars per year.

SECTION 15. Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

SECTION 16. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 17. All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act Authorizing The County Board Of Directors Of Lancaster County To Lease The County Home Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster County to lease County Home property.

—The County Board of Directors of Lancaster County is hereby authorized and directed to lease the County Home property to Tom J Gardner for three hundred dollars per month commencing with January 1, 1961, for such term as the board deems advisable.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R146, H1372)

No. 591

An Act To Authorize The Lancaster County Board Of Directors And The Treasurer Of Lancaster County To Borrow Twenty-Five Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County may borrow money.—The Lancaster County Board of Directors and the Treasurer of Lancaster County are hereby authorized to borrow for general county purposes not exceeding twenty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be due November 2, 1961. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Lancaster County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes,

inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1961.

(R303, H1691)

No. 592

An Act To Authorize The Board Of Education Of Lancaster County To Delete The Reversionary Clause From The Deed Conveying Abandoned School Buildings To The Trustees Of The Van Wyck Community Center.

Whereas, pursuant to authority granted by Act No. 578 of 1954 the Board of Education of Lancaster County conveyed certain abandoned school buildings to the trustees of the Van Wyck Community Center; and

Whereas, pursuant to authority granted by Act No. 578 of 1954 the board of education inserted a reversionary clause in the deed of conveyance; and

Whereas, it has become desirable for the Van Wyck Community Center to borrow a certain sum of money for the purpose of renovating and improving the school buildings in order that they may be leased for industrial or other purposes which are beneficial to the community; and

Whereas, it is found that the presence of the reversionary clause renders the borrowing of money on this property extremely difficult; and

Whereas, the General Assembly believes that it would be beneficial to the Van Wyck area in particular and to Lancaster County in general to have this reversionary clause removed. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County Board of Education may delete certain reversionary clause.—The Board of Education of Lancaster County is hereby authorized to delete the reversionary clause from the deed which conveyed certain abandoned school buildings in the Van Wyck area to the trustees of the Van Wyck Community Center.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R404, H1770)

No. 593

An Act To Authorize The Lancaster County Board Of Directors And The Treasurer Of Lancaster County To Borrow Thirty Thousand Dollars For General County Purposes, To Provide For The Payment Of The Loan, And To Repeal An Act Of 1961 Bearing Ratification No. 146.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County may borrow money.—The Lancaster County Board of Directors and the Treasurer of Lancaster County are hereby authorized to borrow for general county purposes not exceeding thirty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be due November 2, 1961. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Lancaster County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Purpose.—The sums borrowed under the provisions of this act shall be utilized for the payment of the twenty-five thousand dollars borrowed from the Division of Sinking Funds and Property, and to pay the balance due for renovating and equipping the Lancaster County Home.

SECTION 5. Repeal—Act 591 of 1961 repealed.—An act of 1961 bearing Ratification No. 146 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R481, S382)

No. 594

An Act To Amend Act 455 Of The Acts Of 1959, Relating To The Lancaster County Water And Sewer District So As To Further Provide For The Powers Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 455 of 1959 amended—subsection 27 added—powers of commission—further.—Section 3 of Act 455

of the Acts of 1959 is amended by adding at the end a new subsection to read as follows:

"27. Contract with any person now or hereafter providing water or sewer service in any part or portion of the district not being adequately served by the commission for the continuance, extension, enlargement, establishment, ownership, maintenance or operation of such service during such time or times and upon such terms, conditions and basis as the commission shall, in its sole discretion, determine to be reasonably necessary and in the best interest of the people of the district; subject nevertheless, to the continuing and irrevocable power of the commission to acquire and take over the whole or any part of the facilities providing such service through eminent domain proceedings, or pursuant to purchase contract, whenever the commission, in its sole discretion, shall so elect."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R486, S353)

No. 595

An Act To Authorize The Lancaster County Board Of Education And The Treasurer Of The County To Borrow Not Exceeding Three Hundred Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County Board of Education may borrow money.—The Board of Education and the Treasurer of Lancaster County are hereby authorized to borrow for school purposes not exceeding three hundred thousand dollars. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Education and the Treasurer of Lancaster County. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Lancaster County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R522, H1941)

No. 596

An Act To Amend Act No. 1063 Of The Acts And Joint Resolutions Of The General Assembly Of 1960 Authorizing A Bond Issue For Lancaster County Not To Exceed One Hundred Thousand Dollars And Prescribing The Purposes For Which Proceeds Of The Bonds Were To Be Used, So As To Limit The Use Of The Proceeds Of The Bonds To Additions To The Present County Office Building And Renovations To The Courthouse Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1063 of 1960 amended—findings of General Assembly.—Act No. 1063 of 1960 is amended by striking all of Section 1 and inserting in lieu thereof the following which shall be Section 1 of the act:

“Section 1. The General Assembly finds that additions to the present county office building of Lancaster County, including office space for various farm agencies and renovations to the courthouse of the county are needed, and in order to meet these needs the General Assembly has determined to make available to the Board of Directors of Lan-

caster County power to borrow one hundred thousand dollars through the means of the bonds authorized by this act. The proceeds of the one hundred thousand dollar bond issue shall be used for the above specified purposes; *provided*, any sums unexpended shall be placed in the General Fund of the county and may be used by the Directors as is now provided for by law."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R588, H1932)

No. 597

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1961, To July 1, 1962, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A sufficient tax, not to exceed seventy mills, less the estimated revenue to be received by Lancaster County, in 1961, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, for the amounts and purposes hereinafter stated, as follows: to wit:

SECTION 2. The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

SECTION 3. The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be five dollars per day and mileage, as now provided by law.

SECTION 4. Public Works\$125,000.00

Total	\$125,000.00
-------------	--------------

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, and salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road maintenance and chain gang employees shall be employed by the County Road Supervisor and shall receive such salaries as the board of directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this appropriations act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1952. The county board of directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided*, however, that such sum shall not be deducted from the appropriations made in this appropriations act. In addition to the appropriation provided in this section, any and all monies received by the county board of directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster County and the State Highway Department shall be expended by the Board of Directors for any of the purposes set out above.

Law Enforcement**Salaries:**

Sheriff	\$ 4,600.00
Expenses of Sheriff	1,600.00
4 Deputy Sheriffs @ \$250.00 per month	12,000.00

Expenses, 4 Deputy Sheriffs, \$900.00 each	3,600.00
2 Lieutenants @ \$275.00 per month to cover telephone, meals out of town, laundry, etc. in performance of duties	6,600.00
2 Investigators @ \$275.00 per month to cover telephone, meals out of town, laundry, etc. in performance of duties	6,600.00
Expenses, 2 Lieutenants and 2 Investigators, \$900.00 each	3,600.00
Radio Operator and part time Deputy	2,400.00
Expenses, Radio Operator and part time Deputy ...	900.00
The Sheriff shall have the power to fix the compensation of his deputy sheriffs; <i>provided</i> , however, that no deputy shall receive more than \$300.00 per month nor less than \$275.00.	
Clerk (1), to be paid directly to the clerk employed	3,000.00
Jailor	1,200.00

Total\$ 46,100.00

Expenses:

Operating jail, including per diem for feeding and maintenance, or so much as may be necessary	\$ 7,500.00
Maintenance Sheriff's automobiles and radios, or so much as may be necessary	10,000.00
Record books, forms, and postage, or so much as may be necessary	300.00
Uniforms for Sheriff's Officers, if so much be necessary	1,900.00

Total\$ 19,700.00

Magistrates:

Gills Creek Township	\$ 2,100.00
Hire of Clerk	600.00
Constable, Gills Creek Township	2,000.00
Kershaw	780.00
Constable, Kershaw	550.00
Buford Township	480.00
Constable, Buford Township	440.00
Cedar Creek Township	480.00
Constable, Cedar Creek Township	440.00
Cane Creek Township	1,000.00

Constable, Cane Creek Township	700.00
Indianland Township	460.00
Constable, Indianland Township	440.00
Pleasant Hill Township	460.00
Constable, Pleasant Hill Township	440.00
Flat Creek Township	460.00
Constable, Flat Creek Township	440.00
Waxhaw Township	460.00
Constable, Waxhaw Township	440.00
Total	\$ 13,170.00
County Director's Office	
Salaries:	
Chairman of Board	\$ 1,020.00
Directors (6) @ \$900.00 each	5,400.00
County Board Bookkeeper and Secretary	4,452.00
Secretary	2,700.00
Travel expense for 7 directors of the board to be paid to each at the rate of \$150.00 per year	1,050.00
Travel expenses for the chairman of the board for a year	600.00
Clerk of Board, to be paid directly to clerk employed	960.00
Total	\$ 16,182.00
Auditor's Office	
Salary in addition to the portion paid by the State under the General Appropriation Act and Expenses for County Auditor	\$ 2,300.00
Travel and Expenses for Auditor	1,800.00
Clerk to County Auditor, to be paid directly to the Clerk employed	2,640.00
Equalization Board	1,300.00
Total	\$ 8,040.00
County Treasurer's Office	
Salary in addition to the amount to be paid by the State under the General Appropriation Act and expenses for County Treasurer	\$ 2,000.00
Clerk to Treasurer, to be paid directly to clerk employed	2,700.00

To compensate for extra work and mailing out tax notices	1,200.00
Total	\$ 5,900.00
Clerk of Court's Office	
Salary	\$ 600.00
Salary to secretary for Clerk of Court	2,700.00
Postage, record books, office supplies and printing, or so much as may be necessary	1,800.00
Total	\$ 5,100.00
Probate Judge	
Clerk to Probate Judge, to be paid directly to clerk employed	\$ 2,700.00
Postage, record books, printing and office supplies, or so much as may be necessary	750.00
For Lunacy Proceedings, if so much be necessary ..	500.00
Total	\$ 3,950.00
County Attorney	
Salary	\$ 1,320.00
Total	\$ 1,320.00
County Coroner	
Salary—Coroner	\$ 1,200.00
Stenographer, when necessary, not to exceed \$10.00 per inquest	100.00
Printing and Official Blanks	25.00
Travel expense for coroner, not to exceed \$400.00 ..	400.00
Total	\$ 1,725.00
Farm and County Agent's Departments	
County Agent	\$ 1,090.00
Assistant County Agent	752.00
Home Demonstration Agent	595.00
Negro Agriculture Agent	476.00
Stenographer, Home Demonstration Agent	1,080.00
Home Demonstration Supplies	50.00
Demonstration Supplies, County Agent	50.00
Stamps and Incidentals, County Agent	50.00
Stenographer, County Agent	180.00

Boys' & Girls' Club Work	100.00
Colored Home Demonstration Agent, Supplies	50.00
Colored Agriculture Agent, Demonstration Supplies	50.00
Salary, Colored Home Demonstration Agent	797.60
Clerical Help, Negro Home & Agriculture Agents ..	1,300.00
Colored 4-H Club Work, Boys & Girls	100.00
Office Rent	240.00
<hr/>	
Total	\$ 6,960.00
County Game Wardens	
Travel and Expense	\$ 660.00
<hr/>	
Total	\$ 660.00
Forestry Rangers	
Expenses and supplemental salaries	\$ 1,980.00
Rent for Public Welfare Department's Children's Home	1,800.00
<hr/>	
Total	\$ 3,780.00
County Nursing Home—support of inmates and medical supplies, hospitalization and miscellaneous expenses (if so much be necessary)	
	\$ 15,000.00
<hr/>	
Total	\$ 15,000.00
Health Centers	
Part salary for one P. H. Nurse I	\$ 2,845.00
Travel for Sanitarian I @ \$90.00 per month	1,080.00
Travel for four P. H. Nurses I @ \$90.00 per month	4,320.00
Travel for County Health Officer II	820.00
Janitor Service	960.00
Drugs and supplies (Lancaster)	795.00
Drugs and supplies (Kershaw)	180.00
Lights, fuel, water, repairs	1,500.00
<hr/>	
Total	\$ 12,500.00
Vital Statistics and Post Mortems	\$ 500.00
<hr/>	
Total	\$ 500.00

Court Expenses

Jurors, Witnesses, Bailiff	\$ 3,500.00
Stenographer, Parole Office	200.00
Total	\$ 3,700.00

Service Officer

Salary and expenses of Service Officer	\$ 3,816.00
Travel, Service Officer	1,200.00
Salary, Clerk to Service Officer	2,700.00
Total	\$ 7,716.00

Miscellaneous

Lancaster County Rescue Squad	\$ 500.00
11 Rural Fire Fighting Units	11,000.00
Liability Insurance—Sheriff's Cars	900.00
Insurance on Public Buildings	1,500.00
Workmen's Compensation Insurance	1,750.00
Premium on Blanket Employees' Bond and Bonds of County Officials	1,200.00
Liability Insurance—County Trucks and Cars and Boiler Insurance Premiums	600.00
Telephone and Service Tolls for County Offices	3,000.00
Printing, Postage, Stationery, Office Supplies and Stamps (Treasurer)	2,000.00
Lights, water, Fuel and Maintenance of County Office Building and Courthouse	5,000.00
Water Service, Marion Sims Hospital	1,500.00
Salary, County Minister	1,200.00
Salary, County Physician	1,200.00
County's Contributions—Retirement System	6,000.00
Salary for Secretary, County Board of Registration	600.00
Civil Air Patrol—\$500.00 Kershaw, and \$500.00 Lancaster	1,000.00
Lancaster County's portion for the institution and operation of a Mental Health Clinic to serve the Counties of York, Chester and Lancaster	3,101.29
National Guard Unit at Lancaster	500.00
Tuberculosis for Film	600.00
Crippled Children Society	200.00
Mental Health	100.00
Kershaw Public Library	1,000.00

Rental—F. H. A.	180.00
Rental—A. S. C.	870.00
D. A. V. Publication	250.00
Juvenile-Domestic Relations Court	8,400.00
Tax Collector	3,600.00
Civilian Defense Program	2,600.00

Total \$ 60,351.29

GRAND TOTAL \$357,354.29

Less Estimated Revenue Other Than Taxes:

Gasoline Tax	\$137,000.00
Insurance Licenses Fees	18,000.00
County Service Officer	4,500.00
Alcoholic Liquors, Beer and Wine Tax	95,958.00
State Bank Tax	15,000.00
Library Fund	1,500.00
Fines and Forfeitures	62,441.00
Miscellaneous	1,000.00

Total \$335,399.00

Amount to be raised by Taxation \$ 21,955.29

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the General Fund of the county.

SECTION 5. The county board of directors is hereby authorized to set aside out of the road fund such sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit authorized by the board for the past fiscal year. All claims must be made out and listed separately. All other claims against the county,

including direct appropriation herein, shall be paid by the county treasurer only upon claims approved by the county board of directors.

SECTION 6. The sum of two thousand five hundred dollars, if so much be necessary, is hereby appropriated to be expended for needy and emergency cases of sickness; to be paid on recommendation of the County Minister or County Physician, with the approval of the County Board of Directors. *Provided*, that no person shall receive more than twenty-five dollars during the fiscal year.

SECTION 7. The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except that per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights. The sheriff shall receive, in addition to his salary, his necessary expenses in going to and returning when called beyond the limits of the county on official business, and shall receive one dollar per day for dieting each prisoner.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addition to one hundred dollars per month, fifty cents for each commitment and fifty cents for each discharge.

SECTION 8. The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided*, the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided*, further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

SECTION 10. The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate at Gills Creek Township's office, County Health Department office, County Service Officer and the Armory. *Provided*, that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in

connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

SECTION 11. The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least one member of the House of Representatives from Lancaster County, to have an audit made of each county office from the time of the previous audit to July 1, 1961. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public accountant. In addition to the audit above provided, any superintendent or principal or any other school employee of Lancaster County who handles any school funds shall maintain a complete record of all receipts and disbursements, and on or before August 1, 1961, and each year thereafter, their books shall be audited by an accountant and a certified copy of same shall be filed with the county board of directors. Any necessary expenses for school audit shall be paid from the funds of the county board of education.

SECTION 12. Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

SECTION 13. In order to secure a more adequate law enforcement, the Sheriff of Lancaster County is hereby empowered to employ an additional deputy or deputies, if such be necessary. This shall be done only on the written direction of the Senator and at least one member of the House of Representatives from Lancaster County. The compensation of such deputy or deputies shall be fixed by the Senator and at least one member of the House of Representatives from Lancaster County. Such amount as may be fixed by them is hereby appropriated out of the general funds of Lancaster County.

SECTION 14. The county board of directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

SECTION 15. Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the authority of the Lancaster County Appropriations Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

SECTION 16. There is hereby appropriated the sum of two hundred and fifty dollars for maintenance of historical sites, to be expended by the Lancaster County Chapter of the Daughters of the American Revolution, and seven hundred and fifty dollars for the Lancaster County Historical Society to be expended for necessary travel and all other expenses incident to the needs of the society.

SECTION 17. A tax for forty-four mills is hereby levied upon all taxable property in Lancaster County for school purposes. This money shall be used to pay salaries, heat, lights, water and all county-wide expenses. After estimated countywide expenses are budgeted, the balance of the estimated income from this tax and all other sources shall be distributed as follows: The following schools shall be allotted two thousand dollars each to be used for recreation or as the area superintendents and local boards see fit: Buford High School, Flat Creek High School, Indianland High School, Heath Springs High School, Hillside High School, Kershaw High School, Lancaster Junior High School, Barr Street High School and Lancaster Senior High School. The remainder of the estimated income shall be allocated to the various school areas on a per pupil basis. Each area shall prepare a breakdown of its budget and present it to the county board of education for approval. *Provided*, that a part of the kick-back that Lancaster County might receive under the 1961 State Appropriations Act be used to help liquidate the debt with Budget and Control Board.

SECTION 18. It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose

of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

SECTION 19. In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contacts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

SECTION 20. The chairman of the county board of education shall receive an annual salary of six hundred dollars and each member of the board shall receive the sum of five hundred dollars per annum. The chairman and the members of the board shall also be entitled to mileage at the rate of seven cents per mile traveled in attendance upon the meetings of the board; *provided*, that such sum shall be paid from funds allocated to the county board of education.

SECTION 21. The county board of directors is hereby authorized to expend a sum not to exceed one thousand dollars for the maintenance and operation of meeting room for Civil Air Patrol Unit at

Lancaster and Kershaw, the sum to be expended for such purposes according to plans or regulations set forth by the board of directors.

SECTION 22. Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1961-1962 for school purposes shall be used to defray costs of the budget for the Lancaster County schools for the year 1961-1962. In preparing the school budget for the school year 1961-1962, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County seven hundred seventy-five dollars per year supplement for the school year 1961-1962; *provided*, that no school teacher shall receive less salary than he or she received during the school year 1960-1961.

SECTION 23. An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred is hereby appropriated for parks and playgrounds; *provided*, that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

SECTION 24. For the fiscal year July 1, 1961, to July 1, 1962, any and all manufactories newly constructed, and any and all additions and enlargements to existing manufactories in Lancaster County, involving an expenditure and investment of not less than two hundred thousand dollars, shall be exempt from all county taxes for a period of five years from the time of completion of new construction, additions or enlargements.

SECTION 25. A sufficient amount of money is hereby appropriated for the Board of Directors of the Lancaster Watershed Area Protective Association of Lancaster County; *provided*, that the funds appropriated in this section shall be disbursed upon vouchers signed by the chairman and countersigned by the secretary of the Lancaster Watershed Area Protective Association of Lancaster County, and approved by the Lancaster County Board of Directors.

SECTION 26. Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

SECTION 27. If circumstances arise, which, in the judgment of the Lancaster County Legislative Delegation or a majority thereof,

including the Senator, require the expenditure of a greater amount than hereinabove provided for any purposes, or should, in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds for purposes not mentioned in this act and above enumerated, then the delegation, or a majority thereof, shall have, and is hereby given the right by resolution to increase the amount appropriated for any item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution, or resolutions, shall be filed with the board of county directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

SECTION 28. Two mills of the Board of Education's tax levy shall be used for establishing and helping to finance the branch of the Extension Division of the University of South Carolina to be established in Lancaster County.

SECTION 29. The total amount of taxes levied for the fiscal year 1961-1962 shall not exceed seventy mills as follows: county bonds, four mills, county ordinary; school bonds, ten mills, schools; note retirement, four mills, county ordinary; parks and playgrounds, one and one-half mills, county ordinary; school operation, forty-four mills, schools; higher education commission, two mills, schools; library, one and one-half mills, county ordinary; and county ordinary, three mills.

SECTION 30. The clerk and bookkeeper for chain gang and Lancaster County Road Department shall have the following duties: keep records of all vehicle expense, records of all material bought and received, issue materials and parts, keep records of all materials bought in the building and construction of roads and records of all labor used on contract roads. He shall make a monthly report to the county board of directors.

SECTION 31. All acts or parts of acts inconsistent herewith are repealed.

SECTION 32. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R9, H1072)

No. 598**An Act To Provide That Laurens County May Borrow Sixty Thousand Dollars For The Purpose Of Replenishing The County Reserve Fund And To Provide For Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County may borrow money.—Laurens County may borrow sixty thousand dollars from any suitable lending institution in the county for the purpose of replenishing the county reserve fund. Any payment from the fund so borrowed shall be approved by a majority of the Laurens County Legislative Delegation, including the Senator.

SECTION 2. Payment.—The sum shall be repaid from the levy on all taxable property of Laurens County for the year 1961 or from any other available funds accruing to the credit of the county during the year. The full faith, credit and taxing power of Laurens County is irrevocably pledged to the payment of the funds borrowed by authority of this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R32, S49)

No. 599**An Act Providing For The Creation Of Watershed Conservation Districts In Laurens County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act unless a different meaning clearly appears from the context :

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Laurens Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Laurens County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Laurens County.—Authority is hereby granted to form watershed conservation districts within Laurens County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners,

desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Laurens County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of

the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Laurens County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the super-

visors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6, and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall

be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.

—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Laurens County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Laurens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination

favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have

been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Laurens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—

If the Laurens Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Laurens County.

SECTION 20. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of February, 1961.

(R600, H1738)

No. 600

An Act To Authorize And Empower The County Board Of Commissioners Of Laurens County To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Laurens County, If The Election Required By This Act Shall Result Favorably; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that by reason of the special amendment to Section 5 of Article X of the Constitution of South Carolina, relating to Laurens County, which was ratified by Act No. 28 of the Acts of 1921, and

which was recently construed by the Supreme Court of South Carolina in the case of *Johnson v. Thomason*, 113 S. E. (2d) 417, no bonds of Laurens County, whose proceeds are to be expended for the construction or maintenance of roads, bridges and public buildings within the county, may be issued unless the question of the issuance of the bonds shall be submitted to the qualified electors of Laurens County and be voted upon favorably by a majority of those voting in any such election.

SECTION 2. Laurens County—election concerning bond issue.

—In order to ascertain if the approval of the qualified electors of Laurens County shall be given to the issuance of not exceeding one hundred fifty thousand dollars of general obligation bonds of Laurens County, a special election shall be held in Laurens County on such occasion as shall be fixed by the county board.

SECTION 3. Conduct of election.—The election shall be conducted by the Commissioners of Election for Laurens County and shall be held in accordance with the provisions of the South Carolina election law applicable to special elections, and all persons resident in the county and qualified to vote under the Constitution and laws of the State shall be permitted to vote. The ballot to be used in such election shall be in form substantially as follows:

“Shall the County Board of Commissioners of Laurens County be authorized and empowered to issue not exceeding one hundred fifty thousand dollars of general obligation bonds of Laurens County, the proceeds of which shall be used to pay existing indebtedness of Laurens County?

YES ☐

NO ☐

Appearing on the ballot shall be instructions clearly printed apprising those who wish to vote in favor of the issuance of the bonds to place a check or cross mark in the square or block appearing opposite the word “YES”, and apprising those who oppose the issuance of the bonds to place a check or cross mark in the square or block opposite the word “NO”.

SECTION 4. Notice.—The county board shall give notice of the holding of the election by a publication to appear in one or more newspapers published in the county, once a week for three weeks prior to the date set for the holding of the election. The notice shall set forth:

- (1) The date on which the election is to be held;
- (2) The location of the several polling places;
- (3) The qualifications imposed upon persons desirous of voting;
- (4) The amount of bonds to be issued; and
- (5) General description, stating the maximum amount to be expended for each of the three purposes for which the bonds authorized by this act may be issued.

SECTION 5. Ballots.—The county board shall have the necessary ballots prepared and the commissioners of election shall have the required number of ballots delivered to each voting place of the county.

SECTION 6. Returns and results.—The managers of each precinct shall file with the Commissioners of Election for Laurens County returns showing the number of ballots delivered to them, the number of ballots used in the election and the number spoiled, the number of persons voting in favor of the issuance of the bonds and the number of persons voting against the issuance of the bonds, with leave to report on any special circumstance occurring during the election.

Upon receipt of the returns of all of the managers, the commissioners of election shall certify the results of the election to the county board.

SECTION 7. Results—further.—Upon being advised of the results of the election, the county board shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring such result to be filed in the office of the Clerk of Court of Laurens County and the Secretary of State. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the county board declaring the result of the election.

SECTION 8. Expenses.—If the election shall result favorably and bonds shall thereafter be issued, all expenses incurred in the printing of the ballots and the holding of the election shall be paid from the proceeds of the bonds.

SECTION 9. Issuance of bonds if election favorable.—If the election shall result favorably, the county board may proceed with the issuance of general obligation bonds of Laurens County in the aggregate principal amount of one hundred fifty thousand dollars. The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall ma-

ture serially in successive annual installments of such amounts as may be determined by the county board. The maturity date of the first installment of any series shall be not later than three years from the date of such series and the maturity date of the last installment of such series shall be not later than twenty years from the date of such series. Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as shall be prescribed by the county board. The bonds shall be in such denomination and shall bear such rates of interest as the county board may determine, and shall be payable on such occasions as the county board shall prescribe. The bonds shall bear such date or dates and be payable at such place or places as the county board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Laurens County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the county board may prescribe.

SECTION 10. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 11. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Laurens County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal of the bonds to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the county board for the cost of issuing the bonds and the holding of the election required by this act, and afterwards to the purposes for which the same shall have been issued.

If any moneys remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds

shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 12. Payment.—The full faith, credit and taxing power of Laurens County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 13. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R185, S239)

No. 601

An Act To Provide For The Appointment And Terms Of Office Of The Members Of The Lee County Forestry Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lee County Forestry Board—members—terms—vacancies.—The County Forestry Board for Lee County shall be composed of the following members who shall assume office upon the effective date of this act, and whose terms of office shall expire at the times indicated following their names:

- (a) Grady Skinner for a term to expire June 30, 1961;
- (b) Claude Berry for a term to expire June 30, 1962;
- (c) J. C. Stokes for a term to expire June 30, 1963;
- (d) R. J. Makela for a term to expire June 30, 1964; and
- (e) B. B. Davis for a term to expire June 30, 1965.

Thereafter vacancies upon the Board shall be filled in the manner provided in Section 29-55, Code of Laws of South Carolina, 1952. Each of the terms, after the initial terms herein provided, shall be for a period of five years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R488, S374)

No. 602

An Act Providing For The Creation Of Watershed Conservation Districts In Lee County, And The Election Of Directors Of Watershed Conservation Districts And Their Powers And Duties; And Providing For A Levy Of Taxes For The Organization And Administration Of Such Districts, And For The Construction, Operation And Maintenance Of Works Of Improvement Within Such Districts.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Definitions.—Whenever used or referred to in this act, unless a different meaning clearly appears from the context :

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Lee Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Lee County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Watershed conservation districts may be formed in Lee County.—Authority is hereby granted to form watershed conservation districts within Lee County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization, and disposal of water.

SECTION 3. Area.—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district. *Provided*, that the lands within the Atkins drainage district in Lee County which naturally drain into any swamps in Lee County may be included in a district.

SECTION 4. Petition for formation.—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. Such petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

SECTION 5. Hearing on petition.—(1) Within thirty days after such petition has been filed with the supervisors of the soil conserva-

tion district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination and shall deny the petition.

SECTION 6. Referendum.—After the supervisors of the soil conservation district have made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for

the organization of a watershed conservation district and the determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Lee County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of Watershed Conservation District”

“Against creation of Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

SECTION 8. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district

within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of such district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of such district is administratively practicable and feasible, they shall record such determination and shall proceed with the organization of such district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the supervisors shall determine that the operation of such district is administratively practicable and feasible, they shall certify such determination to the Clerk of Court of Lee County and to the Secretary of State. Upon proper recordation of such determination, such watershed conservation shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given

due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6, and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply in so far as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, under the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(5) The directors shall annually designate from among their number a chairman, secretary, and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

SECTION 10. District to be corporate body—powers and duties.

—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the

manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights of way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and if promissory notes are issued, to execute such mortgages on any property owned by such district, or assign or pledge such revenues or assessments of such district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

SECTION 11. Bonds not to be issued unless referendum held.—

(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of

the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in such referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue such bonds.

SECTION 12. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

SECTION 13. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of such budget shall be certified to the Auditor of Lee County.

SECTION 14. List of landowners and acres subject to assessment.—(1) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 15. Collection of taxes.—(1) The county treasurer shall collect the taxes due the watershed conservation district at the

same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 16. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of such funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

SECTION 17. Petition to have lands detached.—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that such lands shall be detached, such determination shall be certified to the Auditor of Lee County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 18. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within such district, or if less than fifty landowners are involved, a majority of such landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 11 of this act. The question shall be sub-

mitted by ballots upon which the words "For terminating the existence of the Watershed Conservation District" and "Against terminating the existence of the Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of such watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record such determination and shall certify such determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Lee County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 19. Supervisory authority if district discontinued.—If the Lee Soil Conservation District is discontinued, all supervisory

authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the Governing Body of Lee County.

SECTION 20. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R679, H1918)

No. 603

An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1961-1962, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Out of the available funds now on hand, and to be received, there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, the following :

Item 1. Roads, bridges and chain gang:

Salary, Superintendent of Roads	\$ 4,260.00
Salary, Bridge Superintendent	3,120.00
Salary, (2) employees @ \$2,700.00	5,640.00
Salary, (2) employees	4,920.00
Salary, (1) employee	2,400.00
Salary, (1) employee	1,800.00
Clothing and bedding for prisoners	3,000.00
Gasoline, oil, grease, tires and tubes	7,000.00
Lumber and pipe	2,500.00
Coal, lights, medicine and doctors' bills	2,400.00
Repairs and other miscellaneous items	11,000.00
Dieting prisoners and guards' meals	6,500.00

Total Item 1

\$ 54,540.00

Item 2. Administrative:

Auditor (to make total salary \$4,998.00)	\$ 1,500.00
Treasurer (to make total salary \$4,998.00)	1,500.00

Clerk of Court	2,360.00
Attorney	600.00
Coroner	775.00
Chairman, County Board of Commissioners ...	1,100.00
County Commissioners, four @ \$840.00 each ..	3,360.00
Clerk, Auditor's Office	2,520.00
Clerk, Treasurer's Office	2,520.00
Clerk, County Board of Commissioners	3,400.00
Assistant clerk, County Board of Commissioners	1,200.00
Clerk, Clerk of Court's Office	2,520.00

Total Item 2\$ 23,355.00

Item 3. Judicial:

Judge of Probate	\$ 1,200.00
Magistrate, Bishopville	1,800.00
Magistrate, Lynchburg	1,100.00
Magistrate, Lucknow	600.00
Magistrate, St. Charles	600.00
Magistrate, Spring Hill	600.00
Magistrate, Ashwood	600.00
Magistrate, Cypress	600.00
Magistrate, Ionia	600.00
Magistrate, Stokes' Bridge	600.00
Jurors, bailiffs and witnesses, including per diem of jurors and bailiffs at \$4.00 and witnesses at \$1.00 per day	2,000.00

Total Item 3\$ 10,300.00

Item 4. Law Enforcement:

Sheriff, salary	\$ 4,380.00
Sheriff, traveling expense	1,500.00
Deputies, (5) at \$2,700.00 each per annum	13,500.00
Deputies, subsistence (5) at \$600.00 each per annum	3,000.00
Clerk, Sheriff's Office	2,520.00
Jailor	1,860.00
Miscellaneous jail expense	1,000.00
Dieting jail prisoners	2,400.00
Uniforms for Sheriff and (5) deputies	900.00

	Miscellaneous administrative expenses	200.00
	Gas, oil, batteries, tires and repairs to police cars	5,000.00
	Transporting prisoners outside State at five dollars per day upon verified claims	200.00
	Total Item 4	\$ 36,460.00
Item 5.	Social Welfare:	
	General relief	\$ 3,500.00
	Old soldiers and their widows residing in Lee County	60.00
	Lee County Health Department	8,000.00
	Public Welfare Department (matching fund for expenses)	1,000.00
	Vital Statistics (Health Department)	250.00
	Total Item 5	\$ 12,810.00
Item 6.	Courthouse and public buildings:	
	Workmen's compensation insurance	\$ 1,000.00
	Water, fuel, lights, insurance and bonds	8,200.00
	Janitor, Courthouse	2,120.00
	Janitress, Courthouse (appointed by janitor) ..	675.00
	Total Item 6	\$ 11,995.00
Item 7.	Miscellaneous:	
	Contingent fund, to be disbursed only on written approval of the county legislative delegation ..	\$ 8,000.00
	Post mortems and lunacy	1,500.00
	Board of Tax Assessors and Tax Appeals	1,000.00
	Books, etc., Clerk of Court's Office	1,000.00
	Printing, postage and stationery	1,800.00
	American Legion Hut and grounds, Bishopville ..	100.00
	American Legion Hut and grounds, Lynchburg ..	100.00
	V. F. W. Hut and grounds, Bishopville	100.00
	4-H Boys' Club work	100.00
	4-H Girls' Club work ..	100.00
	Additional salary, Home Demonstration Agent ..	420.00
	Additional salary, County Agent	900.00
	Additional salary, Assistant County Agent	660.00
	Home Demonstration Agent and County Agent demonstration supplies ..	125.00
	Salary, County Service Officer	3,200.00

Clerk, County Service Officer	1,600.00
Lights, telephone, stamps and incidentals for Service Officer	540.00
Travel for Service Officer inside county	300.00
Travel and expenses for Service Officer out- side county	300.00
Rent for office of Service Officer	540.00
Coroner's jurors @ \$2.00 per day	200.00
County payment retirement fund	1,500.00
Historical Commission, for purchase and erec- tion of historical markers	1,000.00
Civil defense (county's part) salaries and ad- ministration	2,000.00
Lee County Public Library Commission for books	1,000.00
Lee County Public Library Commission for mis- cellaneous expenses	700.00
Salary, County Librarian (\$100.00 per month)	1,200.00
Salary, County Bookmobile Library (\$78.00 per month)	936.00
Salary, Assistant County Librarian (\$135.00 per month)	1,620.00
Gas, oil, repairs, etc., library truck	450.00
Social Security	2,500.00
Company "D", Third Battle Group, South Caro- lina National Guard	1,500.00
Rural Fire Protection Commission	1,500.00
Rent, cotton platform @ \$65.00 per month	780.00

Total Item 7\$ 39,271.00

Item 8. Traveling Expenses:

Chairman, County Board	\$ 630.00
County Commissioners, four @ \$420.00 each ..	1,680.00
Coroner	240.00
Auditor	360.00
Treasurer	360.00
Clerk of Court	240.00

Total Item 8\$ 3,510.00

GRAND TOTAL\$192,241.00

Less Estimated Indirect Revenue:

Commutation Road Tax	\$ 2,600.00
Gasoline Tax	57,000.00
Income Tax	20,000.00
Beer, Wine and Whiskey Tax	19,500.00
Fines and Costs	26,000.00
Insurance Fees	6,300.00
State Contribution to County Service Officer..	3,900.00
Other sources	10,000.00
<hr/>	
Total	\$145,300.00
<hr/>	

Amount to be raised by taxation\$ 46,941.00

SECTION 2. The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed ten mills, if so much be necessary, to raise the amount stated in this appropriation act to be raised by taxation.

SECTION 3. The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sums so appropriated shall not be an obligation of Lee County and be null and void.

SECTION 4. The funds appropriated for each and every purpose shall be used for that purpose only, and no part thereof shall be diverted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

SECTION 5. The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each weekday. They shall at all times keep an

exact record of all sums paid on each and every appropriation of the county.

SECTION 6. The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall be bought from local merchants on an impartial rotating basis, with no regard to factional affiliation. Gas, oil and grease shall be purchased from the five major distributors in Lee County on a monthly rotating basis. The superintendent of roads shall be scrupulously fair in the division of this business.

SECTION 7. All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

SECTION 8. The superintendent of roads shall use every care to keep the cost of operation of the chain gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, rural police, county officials, or any other citizen.

SECTION 9. The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies and other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the appropriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for the purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for

except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people as it may deem proper.

SECTION 10. In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board of commissioners is required to devote such part of his time as the county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided*, that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

SECTION 11. The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided*, however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 12. The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by the board, the actual cost of extra food for meals of gang employees while on duty; *provided*, however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

SECTION 13. The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by the levy.

SECTION 14. The provisions of Section 20-32, Code of Laws of South Carolina, 1952, and acts amendatory thereto, so far as the same shall affect the payment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

SECTION 15. Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

SECTION 16. The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided*, such food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 17. The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of

roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

SECTION 18. The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital grounds.

SECTION 19. The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible, and any officer or employee who shall contract for or spend in excess of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

SECTION 20. The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor, clerk of court, and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

SECTION 21. The amounts herein listed for additional salary—County Agent, and additional salary—Assistant County Agent, are for the present County Agent and the present Assistant County Agent, and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

SECTION 22. All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1960-1961, in excess of the amount necessary to pay appropriations for the fiscal year 1960-1961, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1961, shall be used to meet appropriations for the fiscal year 1961-1962, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1961-1962, in excess of the amount neces-

sary to pay appropriations for the fiscal year 1961-1962, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

SECTION 23. Any and all unused balances in any and all accounts for the fiscal year 1960-1961 shall be automatically transferred to the contingent fund account for the fiscal year 1961-1962.

SECTION 24. The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for such purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

SECTION 25. The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

SECTION 26. The County Board of Commissioners of Lee County is hereby authorized to use, as they deem necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

SECTION 27. The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

SECTION 28. The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1960-1961, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

SECTION 29. Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

SECTION 30. The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation, and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

SECTION 31. The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the Chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files such quarterly report, as provided herein.

SECTION 32. The words "Lee County Legislative Delegation", as used in this act, mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

SECTION 33. No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

SECTION 34. The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect eight mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee

County Memorial Hospital account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of three thousand dollars per month. Any funds in excess of the above amount may be transferred to the General Fund by written order of the legislative delegation.

SECTION 35. Every officer and employee of every board, commission or department of Lee County and its school system shall pay at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commissioners immediately after July 1, 1961, a statement of all past due taxes of every such officer or employee.

SECTION 36. The funds provided for uniforms for law enforcement officers shall be disbursed by the county treasurer only upon properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

SECTION 37. All other provisions of law to the contrary notwithstanding the millage levied by the auditor and treasurer for school purposes in Lee County shall not exceed forty-two mills.

SECTION 38. All acts or parts of acts inconsistent herewith are repealed.

SECTION 39. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R134, H1380)

No. 604

An Act To Authorize The Lexington County Board Of Commissioners And The Treasurer Of Lexington County To Borrow A Sum Of Money For County Purposes, And To Provide For The Payment Of The Loan.

Whereas, Lexington County has of necessity had to construct a new office building at a cost of approximately two hundred thousand dollars, plus twelve thousand dollars for the site, has spent or will be called upon to expend the sum of fifty thousand dollars for grad-

ing of industrial site for the Allied Chemical Company plant, has purchased an industrial site owned by the county for twenty-eight thousand dollars, and contemplates expenditures for courthouse repairs and renovations and increased costs in county government in the sum of sixty thousand dollars; and

Whereas, the sum of three hundred fifty thousand dollars can be repaid in five years without the necessity of a tax increase. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County may borrow money.—The Lexington County Board of Commissioners and the Treasurer of Lexington County are hereby authorized to borrow for general county purposes not exceeding three hundred and fifty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in seven successive, equal, semiannual instalments of fifty thousand dollars plus interest. The first instalment shall be paid six months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any semiannual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Lexington County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of March, 1961.

(R562, H1824)

No. 605

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1961, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied from July 1, 1961, through June 30, 1962, a tax of seven mills on all taxable property in Lexington County for county purposes which, together with all further sums available for such purposes, shall be used for the payment of the items hereinafter set forth; *provided*, that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board, and the total of such items, other than salaries, shall be expended only as so much be necessary.

Item 1. Administrative Department:

- A. County Auditor:
1. County Auditor (county's part) salary

2. Deputy Clerk to County Auditor

3. First Clerk to County Auditor

4. Second Clerk to County Auditor

5. Part-time assistance

6. Travel, County Auditor
- 2,729.00

3,445.00

2,803.00

2,520.00

2,100.00

600.00
- Provided*, that the Auditor go to each town in the county for the purpose of taking tax assessments.
- B. Clerk of Court:
1. Clerk of Court, salary

2. Deputy Clerk of Court

3. First Clerk to Clerk of Court
- 6,227.00

3,873.00

2,803.00

- | | |
|---|----------|
| 4. Second Clerk to Clerk of Court | 2,400.00 |
| 5. Third Clerk to Clerk of Court | 2,100.00 |
| 6. Part-time clerical assistance | 1,000.00 |

Provided, that the balance remaining in Item 6 from prior appropriations shall be carried forward to the 1961-1962 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.

C. County Treasurer:

- | | |
|--|----------|
| 1. County Treasurer (county's part) salary | 2,729.00 |
| 2. Deputy County Treasurer | 3,445.00 |
| 3. First Clerk to County Treasurer (tax) | 2,910.00 |
| 4. Second Clerk to County Treasurer (fee) | 2,910.00 |
| 5. Part-time clerical assistance | 1,500.00 |

Provided, that the Treasurer shall furnish the Commissioners a monthly report of all paid claims issued by the Commissioners.

D. Board of Commissioners:

- | | |
|---|----------|
| 1. Commissioners' salaries, four at \$1,350.00 | 5,400.00 |
| 2. Clerk to County Commissioners, salary | 4,066.00 |
| 3. Assistant Clerk to County Commissioners | 2,300.00 |
| 4. Travel, County Commissioners, three at \$900-.00, Chairman at \$1,200.00 | 3,900.00 |

Item 2. Judicial Department:

- A. Jurors, witnesses and bailiffs \$ 15,000.00

Provided, that all court attaches, petit jurors and jurors of the court of general sessions and the court of common pleas shall be paid at the rate of seven dollars per diem. *Provided*, further, that the court crier and chief bailiff shall be paid at the rate of eleven dollars per diem. *Provided*, further, that all jurors shall be paid mileage at the rate of five cents per mile per day in traveling to and from court.

B. Probate Court:

- | | |
|---|-------------|
| 1. Probate Judge, salary | \$ 5,457.00 |
| 2. Clerk to Probate Judge, salary | 2,400.00 |
| 3. Part-time clerical assistance | 2,100.00 |

C. Juvenile-Domestic Relations Court:

1. Judge's salary	7,526.00
2. Probation Officer	3,959.00
3. Clerk-Stenographer	2,990.00
4. Travel for probation officer	1,200.00

D. Salaries of Magistrates:

District No. 1	2,900.00
District No. 2	2,400.00
District No. 3	2,400.00
District No. 4	2,400.00
District No. 5	2,600.00
District No. 6	2,600.00

Provided, that during week days, each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.

E. Salaries of Magistrates' Constables:

District No. 1	3,264.00
District No. 2, Salary \$3,264.00, Travel \$800.00	4,064.00
District No. 3	3,264.00
District No. 4	3,000.00
District No. 5	3,264.00
District No. 6	3,264.00

Provided, that the Constable of District 2 shall be employed full time and be equipped with a car radio and shall police and patrol the district, including the area within the limits of the Towns of Chapin and Irmo, under the direction and control of the Sheriff's office when not otherwise engaged in official business attendant to the office of Magistrate.

Provided, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the school for officers.

F. Coroner:	
Coroner's salary	1,800.00
Travel	600.00
Post mortems, inquests	1,200.00
Item 3. Law Enforcement:	
A. Office of Sheriff:	
1. Salary	\$ 6,227.00
2. Travel expense	1,220.00
B. Deputy Sheriffs:	
1. Salary of Deputy Sheriffs, eight at \$3,959.00 each per annum and one chief deputy at \$4,176.00	35,848.00
2. Travel expense, nine at \$1,200.00 per annum ..	10,800.00
3. Purchase of gasoline and oil	12,000.00
4. Maintenance of radio equipment	3,000.00
5. Uniforms for Deputy Sheriffs	900.00
<i>Provided</i> , that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.	
<i>Provided</i> , that sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for travel expense in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and insane persons, the same being in the regular line of duty.	
<i>Provided</i> , further, to be eligible to receive the salaries herein provided all Deputy Sheriffs must within one year after his or their appointment be graduated from the Law Enforcement School for Officers.	
C. Jail:	
1. Jail expenses	15,000.00
2. Jailor	2,782.00
3. Jailor	2,140.00
4. Jailor	2,140.00
D. Office of Tax Collector:	
1. Salary of Deputy Tax Collector	2,803.00
2. Clerical assistance	1,400.00

Item 4. Public Works, Roads and Bridges:

A. District salaries of employees and maintenance expenses:

District No. 1	\$ 41,500.00
District No. 2	39,008.00
District No. 3	38,930.00
District No. 4	27,078.00

B. Depreciation reserve for purchase of new machinery 40,000.00

Provided, that Item A shall be expended only upon approval of a majority of the Board of Commissioners.

Provided, further, that Item B shall be expended only for needed machinery and only upon approval of a majority of the County Board of Commissioners and any balance remaining shall be carried forward to the next fiscal year.

Provided, further, that a monthly report shall be rendered and filed by the clerk of the County Board of Commissioners to each Commissioner and to the Lexington County Legislative Delegation in the General Assembly.

Provided, further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1962.

Item 5. Social Welfare:

A. Supplemental salary for members of Lexington County Public Welfare Board to be paid semi-annually \$ 660.00

Provided, that the members of the board shall be paid semiannually.

B. Approved emergency and charity relief 45,000.00

Provided, that claims for the care of medically indigent persons by eleemosynary institutions shall be equitably discharged from the amount above appropriated.

C. Lexington County Health Department 39,700.00

Item 6. Courthouse and Offices:

A. Insurance	\$ 2,100.00
B. Water, lights, fuel and telephone	10,000.00
C. Repairs and maintenance to public buildings ..	15,000.00
D. Maintenance engineer	4,000.00
E. Janitor of county buildings	2,408.00
F. Premium on bonds for county officials	1,800.00
G. Workmen's Compensation Insurance (not to be spent if paid for by State)	3,000.00
H. Printing, stamps and stationery for county of- fices	18,000.00
I. Janitor of county buildings	2,026.00
1. Travel to health centers, to be paid monthly ...	480.00

Item 7. County Board of Education:

There shall be paid through the office of the County Superintendent of Education the following:

A. Salary and travel for County Board of Educa- tion	\$ 1,000.00
B. Supplement salary, Superintendent of Education	1,854.00
1. Travel for Superintendent of Education	200.00
C. Clerk to Superintendent of Education	3,124.00
D. Supplement salary and travel, attendance teacher	1,070.00
E. Circulating Library Fund	28,000.00
F. Publication of county educational directory	700.00

Provided, that the funds appropriated under Item 7 shall be approved and disbursed by the County Board of Education.

Provided, further, that any balance remaining in Item 7, Section E, from prior appropriations shall be carried forward to the 1961-1962 fiscal year and that that balance shall be added to the appropriation herein made and disbursed accordingly.

Item 8. Miscellaneous:

A. Miscellaneous Contingent	\$ 75,000.00
-----------------------------------	--------------

Provided, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority

of the county legislative delegation, including the Senator, and upon such approval the Board of Commissioners and the clerk of the board are hereby authorized to issue vouchers for same. *Provided*, however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of the Board of County Commissioners; *provided*, further, that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

B. Board of Equalization	2,500.00
<i>Provided</i> , that this shall be expended only upon approval of a majority of the legislative delegation.	
C. Board of Registration	2,400.00
<i>Provided</i> , that not more than one-fourth of the amount appropriated shall be expended without approval of a majority of the legislative delegation.	
D. 4-H Boys' Club	150.00
E. 4-H Girls' Club	150.00
F. Future Farmers of America (White Chapter) ..	250.00
G. Women's Home Demonstration Camp	75.00
H. Demonstration supplies for Home Agent	100.00
I. Clerk to Demonstration Agent	535.00
J. Clerk to County Agent ..	535.00
K. Supplemental travel to County Agent	321.00
L. Travel to Asst. County Agent	214.00
M. Lexington County T. B. Association	1,000.00
N. Secretary to County Service Officer	2,482.00
O. Batesburg-Leesville National Guard Unit	800.00
P. West Columbia National Guard, two units at \$800.00	1,600.00

Q. Lexington National Guard Unit	800.00
R. Lexington County Supervisors, Lexington Soil Conservation District, Lexington County	500.00
S. Payment on caretaker's home at Lakeside Rest Home	1,000.00
T. West Columbia Rescue Squad	200.00
U. Swansea Rescue Squad	200.00
V. American Legion Junior Baseball Program	500.00
W. West Columbia-Cayce, Lexington and Bates- burg-Leesville Chamber of Commerce @ \$750.00	2,250.00
X. Supplemental travel to Home Demonstration Agent	321.00
Item 9. County Attorney	\$ 1,392.00
<i>Provided</i> , that the county attorney shall be elected by a majority vote of the County Board of Commissioners of Lexington County and he shall be paid a retainer's fee of one hundred sixteen dollars per month out of the above ap- propriation and by being so retained he shall be available to any and all county officials at any time they need his legal advice.	
<i>Provided</i> , however, for extra work done, such as preparing pleadings, making appearances in court and trying cases, he shall be paid addi- tional fees for such extra services in line with fees charged by members of the Bar at Lexing- ton County for similar services.	
TOTAL	\$699,585.00

SECTION 2. All salaries as fixed in this act shall be in lieu of any and all fees and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of the county official or employee to be reduced accordingly; *provided*, however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

SECTION 3. Funds appropriated herein shall be expended according to the following provisions:

(a) That the legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and that the county commissioners and the county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) That the withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary county funds, provided this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) That the county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send a statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1961, and June 30, 1962.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed one hundred thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

SECTION 4. All appropriations herein made are subject to the right and authority of the legislative delegation in the General Assembly to alter, increase, deduct therefrom, or transfer funds from one account to another at any time without notice when, in their judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and to conform with

the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1962, shall revert to the county ordinary account. *Provided*, that all active members of the National Guard Companies of West Columbia and Batesburg-Leesville and Lexington shall be exempt from payment of road tax in Lexington County during the fiscal year.

SECTION 5. All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners.

SECTION 6. The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum or sums to match other available funds for the retirement of all county officials or employees as is now provided by law under the Retirement Act and the Social Security Act.

SECTION 7. All expenditures and transfers of funds by the county commissioners and the county treasurer, as heretofore authorized by the Legislative Delegation in the General Assembly from Lexington County, are hereby validated and approved for the past and present fiscal year.

SECTION 8. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employee, by a majority of the Lexington County Legislative Delegation.

SECTION 9. (a) There is hereby established in Lexington County the office of County Purchasing Agent who shall be responsible for the purchase of all items needed and necessary for the operation of county business. All items purchased by funds appropriated hereunder shall first be requisitioned by the several departments from the County Purchasing Agent on the forms to be supplied to the several departments by the County Purchasing Agent.

(b) No expenditures in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless

through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, the purchase shall be made from the person, firm or corporation submitting the low bid. *Provided*, further, that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

SECTION 10. All gasoline, motor fuels, oils, and lubricants purchased by and through and used by the Sheriff's office and Board of Commissioners shall be done only after advertising and receiving bids for the same to be supplied to the several offices on a quarterly basis.

SECTION 11. The following fee schedule shall be charged by the Juvenile and Domestic Relations Court of Lexington County:

Preparing and filing petition and rule	\$1.00
Serving each copy of petition and rule	1.00
Court hearing	3.00
Preparing and filing order	2.00
Service by mail of each copy of order .....	.25
Personal service of each copy of order	1.00
Serving witness .....	.50
Issuing and serving contempt citation	1.00
Recording testimony, any case, per reel or belt	2.00

In addition, the court shall charge three per cent of all monies collected and disbursed by the court.

SECTION 12. All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

A Joint Resolution Providing For An Election To Determine The Wishes Of Certain Citizens Of Lexington And Richland Counties Regarding The Creation Of The Broad River Road-St. Andrews Public Service District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington and Richland Counties—election concerning creation of a public service district.—The Commissioners of Election of Lexington and Richland Counties shall cause an election to be held to determine the wishes of the electors residing within an area which is further defined in this act as to whether or not they desire the creation of a public service district for the purpose of sewage disposal facilities. The election shall be held as soon as is convenient after the passage of this act but not later than December 31, 1961.

SECTION 2. Area.—The district shall include and be composed of that area of Lexington and Richland Counties described as follows:

Beginning at the intersection of the center lines of S. C. Road 36 and Piney Grove Road, thence northeasterly along the center line of Piney Grove Road for a distance of 15,000 feet, more or less, to the western right-of-way line of U. S. Highway 76 at a point about 800 feet north of the entrance to the South Carolina Women's Penitentiary; thence in a southeasterly direction along the western right of way of U. S. Highway 76 for a distance of 2300 feet, more or less, to the southern property line of the State of South Carolina (extended across U. S. 76); thence N 62° 25' E for a distance of 2400 feet, more or less; thence S 22° 00' E for a distance of 1363 feet, more or less; thence S 27° 15' E for a distance of 1941 feet, more or less; thence S 26° 15' E for a distance of 1055 feet, more or less, to a road; thence along said road in a southwesterly direction for a distance of 2300 feet, more or less, to the eastern right of way of U. S. Highway 76; thence in a southerly direction along the eastern right of way of U. S. Highway 76 for a distance of 812 feet, more or less, to the Southern property line of the State of South Carolina (John G. Richards Industrial School); thence N 38° 15' E for a distance of 551 feet, more or less; thence S 89° 30' E for a distance of 1029.5 feet, more or less; thence N 27° 25' E for a distance of 1000 feet, more or less; thence N 65° 50' E for a distance of 1361 feet, more or less; thence S 25° 50' E for a distance of 827 feet, more or less; thence N 61° 13' E for a distance of 818.5 feet, more or less; thence N 61° 28' E for a distance of 501.7 feet, more or less; thence N 78° 55' E for a distance of 300 feet, more or less;

thence N 79° 02' E for a distance of 2599.7 feet, more or less; thence S 22° 13' E for a distance of 1211.7 feet, more or less; thence N 73° 00' E for a distance of 1623.1 feet, more or less, to the western bank of Broad River; thence along the western bank of Broad River for a distance of 18,000 feet, more or less, to the confluence of Broad River and Saluda River and to the northern right-of-way line of the Columbia, Newberry & Laurens Railroad; thence along the said northern right of way of the Columbia, Newberry & Laurens Railroad for a distance of 31,000 feet, more or less, to its intersection with the center line of S. C. Road No. 36; thence along the center line of S. C. Road No. 36 for a distance of 3,000 feet, more or less, to the point of beginning.

As soon as convenient, and prior to the occasion for the holding of the special election herein authorized, a plat of the District shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Richland County and in the offices of the Auditor, the Treasurer and the Clerk of Court for Lexington County.

SECTION 3. Ballots and notice.—The Commissioners of Election of Lexington and Richland Counties shall cause appropriate ballots to be prepared and shall publish a notice of the election for at least two consecutive weeks immediately prior to the holding of the election.

SECTION 4. Persons eligible to vote.—Only the qualified electors residing in the district defined in Section 2 shall be eligible to vote on this question.

SECTION 5. District to be created if election favorable.—Should a majority of those voting in each of the counties vote in favor of the creation of the district, then such district shall be created, but should a majority of the electors vote in opposition to the creation of the district in either of the counties, then and in that event, the district shall not be created.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R24, H1099)

No. 607**An Act To Validate A Certain Loan And The Purchase Of Certain Bonds By McCormick County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Action by McCormick County validated.—The investment of twenty thousand dollars of McCormick County surplus funds in a note and mortgage of the American Legion Fair Association, and the purchase of not exceeding sixty-five thousand dollars of bonds of the town of McCormick are hereby validated, approved and ratified in all respects.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R25, H1100)

No. 608**An Act To Provide For The Transfer Of Funds By McCormick County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. McCormick County may transfer funds.—The treasurer of McCormick County is hereby authorized and directed to transfer the sum of fifteen thousand dollars from the general fund of the county to the contingent fund.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R230, H1594)

No. 609**An Act To Direct The Treasurer Of McCormick County To Transfer Five Thousand Dollars From The General Fund Of The County To The Miscellaneous And Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County to transfer funds.—The Treasurer of McCormick County shall transfer five thousand dollars from the general fund of the county to the miscellaneous and contingent fund.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R564, H1873)

No. 610**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And Providing For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1961, and ending June 30, 1962.

Item A. For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards \$ 22,000.00
Provided, that the supervisor or county board of commissioners shall employ no other help than that provided for herein unless authorized by the county delegation.
Office Clerk 2,200.00

Total, Item A \$ 24,200.00

Item B. Salaries:

Clerk of Court	\$ 3,630.00
<i>Provided</i> , however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the Acts of 1936 at pages 1449 and 1450 before he shall be entitled to said salary.	
Clerk to clerk of court	2,200.00
Treasurer	770.00
Clerk to Treasurer	2,200.00
Auditor	770.00
Clerk to Auditor (9 Mos.)	1,650.00
Coroner	363.00
County Physician	121.00
Janitor at courthouse	1,320.00
Two county commissioners at \$363.00 each	726.00
Judge of Probate	1,815.00
County Attorney	363.00
Magistrate at McCormick	1,815.00
Magistrate at Willington	907.50
Magistrate at Parksville	907.50
Janitor, McCormick County Office Building ..	1,234.20
Sheriff, salary	2,970.00
Sheriff, expense fund	500.00
<i>Provided</i> , said amount to be paid in equal monthly payments without the necessity of itemizing the same.	
Two deputy sheriffs, salary, each \$2,970.00 ...	5,940.00
Two deputy sheriffs, expense fund, \$500.00 each	1,000.00
<i>Provided</i> , said amount to be paid in equal monthly payments without the necessity of itemizing the same. <i>Provided</i> , that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies, to be designated by the sheriff, shall also serve as magistrates' constable.	
Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary	2,400.00
Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, said	

amount to be paid in equal monthly payments without the necessity of itemizing same	3,820.00
Tax Collector	1,815.00
Tax collector's expenses, who shall furnish his own car, to be paid in equal monthly payments..	1,200.00

Total, Item B	\$ 40,437.20
---------------------	--------------

Item C. County:

County board of equalization	\$ 750.00
Vital statistics	150.00

Total, Item C	\$ 900.00
---------------------	-----------

Item D. Jail expenses:

To include only the dieting of prisoners at \$1.25 per day, electric current and repairs, if so much be necessary	\$ 1,500.00
---	-------------

Provided, records of prisoners' entrance and re-
lease shall be kept and such records shall be sub-
ject to annual audit.

Total, Item D	\$ 1,500.00
---------------------	-------------

Item E. Jurors and witnesses and court expenses:

Provided, that grand jurors and petit jurors shall
be paid at the rate of seven dollars and fifty cents
per day and mileage. *Provided*, further, that
magistrates' and coroner's jurors shall be paid
at the rate of one dollar and fifty cents per day
upon the authorization of the magistrate or
coroner.

	\$ 3,500.00
--	-------------

Provided, further, taking of testimony in mag-
istrate's court and coroner's inquests shall be paid
from this fund upon the authorization of the
magistrate or coroner.

Total, Item E	\$ 3,500.00
---------------------	-------------

Item F. Post mortems, inquests, autopsies and lunacies, if
so much be necessary

	\$ 500.00
--	-----------

Total, Item F	\$ 500.00
---------------------	-----------

Item G.	Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of public buildings which shall be approved by the McCormick Building Commission, and cost shall be paid from such amount as the commission and county delegation shall designate	\$ 9,000.00
	Total, Item G	\$ 9,000.00
Item H.	Printing, postage, stationery and office supplies	\$ 2,000.00
	Total, Item H	\$ 2,000.00
Item I.	Annual audit to county books from June 30, 1960, to July 1, 1961, if so much be necessary ..	\$ 600.00
	Total, Item I	\$ 600.00
Item J.	Premiums on officers' bonds and workmen's compensation premiums, when such premiums are certified to and in order, if so much be necessary ..	\$ 1,000.00
	Total, Item J	\$ 1,000.00
Item K.	Miscellaneous contingent fund: To be expended only in case of emergency and only then upon the written approval of the legislative delegation.	\$ 4,000.00
	Total, Item K	\$ 4,000.00
Item L.	County health unit, if so much be necessary	\$ 2,200.00
	Total, Item L	\$ 2,200.00
Item M.	Public Welfare	\$ 5,000.00
	<i>Provided</i> , such funds shall be kept separate to facilitate annual audit.	
	Total, Item M	\$ 5,000.00
Item N.	Library board	\$ 1,200.00
	<i>Provided</i> , that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.	
	Total, Item N	\$ 1,200.00

Item O. Police Insurance	\$ 3,000.00
Total, Item O	\$ 3,000.00
Item P. Retirement (County's part)	\$ 1,100.00
Total, Item P	\$ 1,100.00
Item Q. Social Security (County's part)	\$ 1,450.00
Total, Item Q	\$ 1,450.00
Item R. National Guard	\$ 500.00
Total, Item R	\$ 500.00
Item S. Soil Conservation	\$ 300.00
Total, Item S	\$ 300.00
Item T. County Board of Education	\$ 1,200.00
Total, Item T	\$ 1,200.00
GRAND TOTAL	\$103,587.20
Less revenue other than taxes:	
U. S. Forestry Service	\$ 25,000.00
Gas Tax	27,000.00
Other revenues	34,000.00
Total estimated revenue	\$ 86,000.00
Amount to be raised by taxation	\$ 17,587.20

SECTION 2. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided*, that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to exceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the

recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

SECTION 3. The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1961 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided*, that the county commissioners shall have equal authority in county matters with the supervisor.

SECTION 4. The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax, as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1961. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

SECTION 5. No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes sufficient to pay the same makes it necessary, and no note in excess of the sum provided by law shall be made by the county commissioners except upon the written authority of the county legislative delegation, which shall be filed with the clerk of court.

SECTION 6. The McCormick County Legislative Delegation is hereby authorized and empowered to pay to the members of the forestry committee or any other members of a committee authorized by legislation, meeting during the year 1961, the sum of five dollars per day from the contingent fund under Item K. *Provided*, however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1961-1962.

SECTION 7. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing

attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County, or as to the law pertaining to any matter connected with the administration of such office.

SECTION 8. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health condition of the county and attend any prisoner, either on the chain gang or in the county jail, and make such recommendation as he might think proper for the safeguarding of the health of the prisoners of the communities of the county.

SECTION 9. The McCormick County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided*, that no equipment owned by McCormick County shall be used for anything but county or public purposes.

SECTION 10. No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. Unless otherwise specifically authorized herein, no bill or claim against McCormick County shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents and carries the same number as the county voucher, in addition to the amount and the time furnished, and no person shall make oath to such itemized statement or claim for any other person.

SECTION 12. All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

SECTION 13. No officer of McCormick County shall charge or collect any money for an expense account except as herein provided for.

SECTION 14. Any officer or employee of McCormick County who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

SECTION 15. The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon each week provided the majority of the merchants in the Town of McCormick close their place of business one afternoon each week, and the afternoons taken off by the courthouse officials shall be the same afternoon on which the business houses are closed. The officials of McCormick County are further authorized to close their offices on all legal State Holidays.

SECTION 16. For the year 1961 the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

SECTION 17. Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer, for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

SECTION 18. From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided*, that the county board of education is hereby authorized to pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

SECTION 19. Custodian of the McCormick County office building and grounds shall be designated by the McCormick County Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

SECTION 20. On or before the first of June, the trustees of the McCormick County schools are hereby authorized and directed to furnish to the county board of education a budget for the operation and maintenance of the schools of the county for the year 1961-1962.

On or before the first of July, the county board of education shall furnish the budget to the county auditor with such increases or decreases as may be deemed necessary. The county auditor is hereby authorized and directed to levy a sufficient number of mills on taxable property in McCormick County for such purposes with the approval and consent of the county legislative delegation. The county treasurer is hereby directed to collect the funds and place them in the school fund, and to disburse the funds as now prescribed by law.

SECTION 21. Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county legislative delegation.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R675, H1529)

No. 611

An Act To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1961 upon the taxable property of Marion County for county purposes, for the fiscal year beginning July 1, 1961, and ending June 30, 1962, in the amount and for the purposes hereinafter stated.

SECTION 2. For the purposes stated in this act, a levy of seven mills, if so much be needed, is hereby made upon the taxable prop-

erty of the county for the calendar year 1961 to be expended, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1961, and ending June 30, 1962, as hereinafter set forth; *provided*, however, that the county auditor is hereby directed to make a calculation of the amount of the levy that will be necessary to raise the sums appropriated in this act, first taking into account the probable income from all other sources, and if it is found that seven mills is not sufficient to raise the funds herein appropriated, or that the levy is more than sufficient for the purposes herein, then in either event, he is directed to notify the legislative delegation, a majority of whom, may raise or lower the levy; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided*, further, that the levy shall be made only upon the written approval of a majority of the legislative delegation.

SECTION 3. The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning July 1, 1961, and ending June 30, 1962, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. Salaries:

A. Clerk of Court	\$ 1,250.00
B. Sheriff	4,000.00
B-1. Four Deputy Sheriffs @ \$2,860.00 each	11,440.00
B-3. Investigating fund to be used by Marion County Sheriff	600.00
B-4. Travel and other expenses, Sheriff and four Deputies @ \$2,000.00 each	10,000.00
B-5. Gas and oil—Sheriff's office \$205.00 per month	2,460.00
<i>Provided</i> , that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of \$41.00 per month for each deputy and himself for gas and oil.	
B-6. Steno-Clerk and radio dispatcher for Sheriff's office	2,300.00
<i>Provided</i> , however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation.	
C. Jailor	2,200.00

D. Magistrate at Marion	2,250.00
D-1. Rent—Magistrate at Marion	180.00
E. Magistrate at Mullins	2,250.00
F. Magistrate at Centenary-Rains	650.00
F-1. Magistrate's Constable at Centenary-Rains	1,850.00
G. Magistrate at Britton's Neck Township	650.00
G-1. Magistrate's Constable at Britton's Neck Town- ship	1,850.00
H. Magistrate at Nichols	650.00
H-1. Rent—Magistrate at Nichols	180.00
I. Treasurer	1,300.00
J. Incidental Expenses—Treasurer	700.00
K. Assistant Treasurer	3,000.00
<i>Provided, that the Treasurer of Marion County is authorized to continue the employment of Mrs. Clara Allen regardless of retirement age.</i>	
L. Auditor	1,300.00
M. Clerk to Auditor	3,000.00
N. Travel and Other Expenses—Auditor	700.00
N-1. Extra Clerical Help, Auditor	600.00
O. Coroner	1,000.00
O-1. Travel and other expenses—Coroner	400.00
P. Chairman of County Board of Commissioners..	4,300.00
Q. Travel and other expenses of Chairman of Coun- ty Board of Commissioners	1,500.00
R. Six County Commissioners @ \$400.00 each for travel and official expenses	2,400.00
S. One Clerk to Commissioners	2,500.00
T. Tax Collector	1,200.00
U. Clerk and Stenographer for Tax Collector	1,150.00
<i>Provided, that the Clerk and Stenographer for the Tax Collector shall also serve as County Civil Defense Secretary.</i>	
V. Superintendent of Education, Travel and Inci- dentals	850.00

TOTAL ITEM 1\$ 70,660.00

Item 2. County Boards:

A. Board of Education—Seven members @ \$300.00 each for travel and official expenses	\$ 2,100.00
---	-------------

B. One Clerk to Superintendent of Education	2,400.00
C. Board of Equalization	1,500.00
<hr/>	
TOTAL ITEM 2	\$ 6,000.00
Item 3. Post Mortems and Lunacies	\$ 400.00
<hr/>	
TOTAL ITEM 3	\$ 400.00
Item 4. Welfare Department:	
A. Emergency Relief	\$ 3,000.00
B. Charity Hospitalization	2,000.00
C. Chairman—Public Welfare Board	300.00
D. Pauper Funerals	1,200.00
<i>Provided</i> , that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county. <i>Provided</i> , further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.	
<i>Provided</i> , further, that the Marion County Welfare Board shall make all necessary investigations. <i>Provided</i> , further, that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars. <i>Provided</i> , further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available.	
<hr/>	
TOTAL ITEM 4	\$ 6,500.00
Item 5. Jurors and Witnesses	\$ 5,000.00
<i>Provided</i> , that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars.)	
<i>Provided</i> , further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Court shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.	
<hr/>	
TOTAL ITEM 5	\$ 5,000.00

Item 6. Public Buildings:

- A. Public Buildings, including lights, water,
grounds, office rent, etc.\$ 10,000.00
- B. For colored library purposes in Mullins 15,000.00
Provided, that this sum shall be spent with the
consent of the majority of the legislative dele-
gation.

TOTAL ITEM 6\$ 25,000.00

Item 7. Vital Statistics\$ 550.00

TOTAL ITEM 7\$ 550.00

Item 8. Ordinary Contingent\$ 12,000.00

TOTAL ITEM 8\$ 12,000.00Item 9A. Roads, bridges, chain gang, maintenance, diet-
ing, clothing, medical and medicine for prisoners

on chain gang\$109,000.00

Provided, however, that the total amount of gas-
oline tax allocated to Marion County be deducted
from the total of \$109,000. and the remainder be
raised by tax levy . . . \$109,000.00.

- B. Purchase of concrete pipe form 750.00
- C. On cost of motor grader 15,000.00
- D. On cost of dump truck 3,500.00
- E. Marion County Jail—water, lights, etc. for pris-
oners while in jail 5,000.00

TOTAL ITEM 9\$133,250.00Item 10. Salary for Clerk to Marion County Tuberculosis
Association

.....\$ 1,900.00

- A. Travel Expenses for Tuberculosis Nurse 840.00

TOTAL ITEM 10\$ 2,740.00

Item 11. Health Department\$ 9,603.00

- A. Transportation for Crippled Children 350.00
- B. Medicine for T. B. Patients 200.00

TOTAL ITEM 11\$ 10,153.00

Item 12. Libraries:

A. Marion Library	\$ 1,750.00
B. Mullins Library	1,750.00
C. Nichols Library	750.00
D. Traveling Library	1,500.00
<hr/>	
TOTAL ITEM 12	\$ 5,750.00

Item 13. County Agent's Office:

A. County Agent	\$ 900.00
A-1. Two Assistant County Agents @ \$300.00 each	600.00
B. Clerk to County Agent	150.00
C. Postage and Office Supplies	400.00
<hr/>	
TOTAL ITEM 13	\$ 2,050.00

Item 14. Home Demonstration Agent's Office:

A. Clerk—Salary Supplement	\$ 420.00
B. Supplies and Incidentals	200.00
C. Telephone	150.00
D. Home Demonstration Agent, Salary Supplement	240.00
E. Assistant Home Demonstration Agent, Salary Supplement	150.00
<hr/>	
TOTAL ITEM 14	\$ 1,160.00

Item 15. Boys' and Girls' 4-H Club Work

TOTAL ITEM 15	\$ 300.00
---------------------	-----------

Item 16. Negro Agricultural and Home Demonstration Agent's Office

A. Rent, fuel, telephone and other supplies and services	\$ 750.00
B. Clerical Personnel	1,800.00
<i>Provided, that the County Agent and Home Demonstration Agent shall employ said clerk or clerks.</i>	
C. Equipment and Supplies	300.00
D. Home Demonstration Agent—Travel and other expenses (Travel \$570.00—Salary \$570.00) ..	1,140.00
E. Equipment, Demonstration Materials and Supplies and Activities	250.00

F. Boys' 4-H Club Work and Supplies	150.00
G. Girls' 4-H Club Work and Supplies	150.00
H. Negro Agricultural Agent—Salary Supplement	300.00
<hr/>	
TOTAL ITEM 16	\$ 4,840.00
Item 17. Office of Judge of Probate	\$ 2,400.00
<hr/>	
TOTAL ITEM 17	\$ 2,400.00
Item 18. Marion Soil Conservation District	\$ 300.00
<hr/>	
TOTAL ITEM 18	\$ 300.00
Item 19. Marion County Planning and Development Board:	
A. Personnel Expense	\$ 1,500.00
B. Travel Expense	1,800.00
C. Maps, Surveys and other Services	1,200.00
<hr/>	
TOTAL ITEM 19	\$ 4,500.00
Item 20. Miscellaneous:	
A. Britton's Neck Fire Dept.	\$ 200.00
B. Marion Rural Fire Dept.	500.00
C. Mullins Rural Fire Dept.	500.00
D. Nichols Rural Fire Dept.	200.00
E. Marion National Guard	1,000.00
F. Mullins National Guard	1,000.00
G. Radio Repair for Radios and Insurance on Radios	500.00
H. Official Bond Premiums	800.00
I. Printing and office supplies, stamps, and Box Rent	3,750.00
J. Advertising—Tax Notices	600.00
K. Junior Homemakers Association	300.00
L. Marion Rescue Squad	1,000.00
M. Mullins Rescue Squad	1,000.00
N. County Civil Defense	1,200.00
O. Hospitalization Insurance for county employees	900.00
P. Secretary to Circuit Judge	720.00

Q. Salary and equipment for third Game Warden.	2,000.00
TOTAL ITEM 20	\$ 16,170.00
GRAND TOTAL	\$309,723.00
Less Estimated Revenues:	
Magistrates' Fines	\$ 45,000.00
Alcoholic Tax	27,500.00
Gas Tax	90,000.00
Beer and Wine Tax	7,000.00
Fines and Forfeitures	12,500.00
Insurance Licenses	15,000.00
Bank Tax	5,000.00
Income Tax	45,000.00
Interest	1,400.00
Miscellaneous Revenue	5,000.00
TOTAL	\$253,400.00
AMOUNT TO BE RAISED BY TAXATION	\$ 56,323.00

SECTION 4. The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes when so executed shall be a lien upon all taxes to be raised during the year 1961 for the levy to be made under this act; *provided*, that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose whatsoever unless upon authorization of the county delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1960 and ending

June 30, 1961, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the said indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the board of county commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

SECTION 5. From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

SECTION 6. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery and office supplies, which shall also be furnished each of the magistrates upon their written requisition to the board of county commissioners. No claim for mileage or travel for any purpose, shall be paid without claimant first securing the approval of the county board of commissioners before making such trip, and if such travel or mileage is authorized and approved, claimant shall be paid at the rate of seven cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided*, that

the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

SECTION 7. The amount hereinabove appropriated for the hospitalization fund shall be paid by the county board of commissioners upon presentation to them of approved claims by the county board of welfare or its director. The county board of welfare, working in conjunction with the superintendent of the hospital, is hereby directed to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and in the investigation of any applicant for assistance from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be accessible to the county board of welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the county board of public welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the county board of public welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the welfare board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the county board of public welfare is directed to make an investigation of the applicant even though he or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the county board of public welfare is hereby directed to approve same.

SECTION 8. The board of county commissioners, with the approval of a majority of the legislative delegation, shall have authority to employ a county attorney and to pay for his services out of the Contingent Fund.

SECTION 9. The county board of commissioners through its chairman or clerk is hereby authorized and directed to issue a license to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the amount of the fee shall be recommended by the chairman of the county board of commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of

its activities. *Provided*, that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

Provided, further, that a majority of the county board of commissioners, may in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

Provided, further, that any person engaged or offering to engage in the business, trade or profession of fortune telling, palmistry, phrenology, clairvoyance or the prediction of future events by cards or other means and any spiritualist not ministering to a church or who is not recognized by the Marion County Ministerial Association shall pay a license fee of one thousand dollars per year in advance.

Provided, however, that the Marion County Venereal Disease Inspector shall have authority to require any carnival, fair or show employee to submit to such tests for venereal diseases as is deemed necessary or desirable by the Marion County Venereal Disease Inspector and he shall have authority to arrest and imprison any person refusing to submit to a required venereal disease test.

SECTION 10. The appropriation made for the Health Department is conditioned upon the filing of a monthly statement in writing with the board of county commissioners and the legislative delegation showing in detail the travel and activities of the county health department in the county.

The twelve hundred dollars appropriated to the Marion County Tuberculosis Association shall be expended under the joint direction of the association and the tuberculosis nurse.

SECTION 11. The item of two thousand one hundred dollars appropriated for the County Board of Education shall be expended as follows: three hundred dollars per year to be paid to each of the seven members of the board for travel and official expenses.

SECTION 12. The auditor shall call the local board of assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the tax collector. The tax collector shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list im-

mediately after the local boards finish their work and at the end of three months make a report of such work to the county commissioners and the delegation and submit a copy of same to the treasurer. He shall further be required to turn over to the treasurer on the first of each month all money collected by his office the preceding month.

SECTION 13. The Tax Collector of Marion County shall receive one dollar and fifty cents execution fee on all taxes so collected by him. The tax collector upon collecting such taxes shall turn all costs and fees over to the county treasurer and take receipts therefor, and at the end of each month thereafter, the county treasurer is authorized and directed to pay over to the tax collector one dollar and fifty cents on each execution fee so collected by him.

SECTION 14. The fifteen hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid five dollars per day while attending his official duties as such, plus seven cents per mile for mileage.

SECTION 15. The sheriff of the county shall designate one or more of his deputies to have his headquarters in the Town of Mullins, and the deputy so designated shall maintain his headquarters in the town, and shall serve as constable for the Magistrate in Mullins and Nichols.

SECTION 16. All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

SECTION 17. All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P. M. All county officers and employees shall be entitled to a half day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half day holidays to be arranged by the head of each department; *provided*, however, that deputy sheriffs shall not be entitled to a half day holiday during the tobacco season except when the same shall be expressly authorized by the sheriff.

SECTION 18. In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall on or before the first day of February each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source

of the funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the respective boards of the county, certificates or warrants of the clerk of court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall on or before the first day of February of each year, report to the legislative delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the legislative delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year, and an estimate of all disbursements for the present school fiscal year. He shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 19. In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college and need financial assistance to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the legislative delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the county board may prescribe. These scholarships shall be paid from surplus funds accruing to the department of education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

SECTION 20. All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. Any officer or employee violating the provisions hereof shall be discharged or removed from employment or office. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof, shall expire and terminate on June 30, 1961.

SECTION 21. All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter,

increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

SECTION 22. The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime therein. *Provided*, however, that the magistrates' constables shall aid and assist the sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the sheriff of the county at all times, and, when so called, they shall work in cooperation with the sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge the duties in this respect, shall be deemed guilty of official misconduct and be forthwith removed from office.

SECTION 23. Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the legislative delegation or a majority thereof.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof, To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1,

1961, And For The Expenditure Thereof, And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following amounts are appropriated from the general fund of Marlboro County for the purposes herein stated:

Item 1. Salaries and Personal Services:

Sheriff	\$ 4,840.00
Clerical Assistant, Sheriff, Coroner and Magistrate	2,520.00
Contingent Fund, uniform fund and radio fund	1,500.00
Deputy Sheriff (Jailor)	1,680.00
Assistant Jailor	840.00
Treasurer	3,500.00
Assistant to Treasurer	2,400.00
Clerk of Court	1,200.00
Assistant to Clerk of Court	2,640.00
2nd Assistant to Clerk of Court	2,320.00
Auditor	3,500.00
Assistant to Auditor	3,240.00
Coroner	1,620.00
Supervisor	5,000.00
Car Expenses, Supervisor	2,000.00
Clerk of County Highway Commissioners	3,240.00
Attorney—to be appointed by County Delegation	900.00
County Service Officer	1,560.00
Assistant County Service Officer	1,644.00
Clerk—Judge of Probate's Office	120.00
Law Enforcement Communications	2,600.00
Supplement of Game Wardens' Salaries	1,500.00
Part time secretary for Soil Conservation Office	1,000.00
Assistant to County Agent	240.00
Total Item 1	\$ 51,604.00

Item 2. Law Enforcement and Administration of Justice:

County Judge	\$ 3,900.00
Magistrates:	
McColl	1,200.00
Office Rent, McColl Magistrate	200.00

Office Rent, Blenheim Magistrate	200.00
Bennettsville	2,100.00
Clio	660.00
Brightsville	480.00
Blenheim	600.00
Wallace	480.00
Brownsville	480.00
<i>Provided</i> , it shall be the duty of the Board of Commissioners to audit the Magistrates' books monthly and see that all fines have been turned over to treasurer before pay warrants are drawn. Bailiffs, Witnesses, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors eight dollars per day and mileage	
Salaries for Rural Policemen and Deputy Sheriffs	6,000.00
Dieting prisoners	20,540.00
Medical Expense for Jail	6,000.00
	225.00
Total Item 2	\$ 43,065.00
Item 3. Roads, Bridges, Maintenance and Convicts:	
Roads, bridges, tiling, trucks, machinery, maintenance and convicts	\$ 48,000.00
Servicing law enforcement vehicles	4,800.00
Total Item 3	\$ 52,800.00
Item 4. Public Health, Charities and Social Welfare:	
Sanitary Officers	\$ 600.00
Health Department	13,350.00
Post Mortems, Inquests and Lunacy	1,200.00
Marlboro County General Hospital to supplement charity aid from Duke Foundation	11,500.00
Marlboro Tuberculosis Association	1,450.00
Library Association	8,020.00
Home and Recreational Center for Aged Negroes of Marlboro County	750.00
Marlboro County U. D. C.	15.00
Battery A 296th Field Artillery	1,000.00
201st Medical Battalion	1,000.00
Mileage for Child Welfare Work	960.00
Salary, Director, Public Welfare	600.00

	Public Welfare Department	5,840.00
	Telephone expenses for Welfare Department ...	600.00
	<hr/>	
	Total Item 4	\$ 46,885.00
Item 5.	Courthouse, Public Buildings, Insurance and Office Supplies:	
	Janitor, Courthouse	\$ 2,860.00
	Workmen's Compensation Premium	600.00
	Social Security	3,500.00
	Water, lights, fuel, repairs and insurance	18,000.00
	Printing, Postage and Stationery	8,500.00
	Audit of County Books	2,000.00
	For retirement of County Officers, if so much be necessary	4,000.00
	<hr/>	
	Total Item 5	\$ 39,460.00
Item 6.	Miscellaneous Contingent:	
	Bonds, County Officers	\$ 1,500.00
	Demonstration Supplies for Home Agents	125.00
	Boys' 4-H Clubs	100.00
	Girls' 4-H Clubs	100.00
	Negro Boys' 4-H Clubs	100.00
	Negro Girls' 4-H Clubs	100.00
	County Agent	600.00
	Assistant County Agent	300.00
	Salaries of Prison Camp Preachers	480.00
	Marlboro County Cancer Unit Fund	300.00
	<hr/>	
	Total Item 6	\$ 3,705.00
	<hr/>	

Grand Total of all Expenditures \$237,519.00

All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county directors and countersigned by a member of the Board of Public Welfare, to be by the board designated. *Provided*, that the director's salary shall be paid by the county commissioner as is customary in claims against the county.

SECTION 2. The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any purpose; *provided*, that out of the surplus contingent fund is to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriations for any purpose. All officers, agents and employees of Marlboro County shall contract no debt for any purpose, or expend any sums in excess of the appropriations in this act providing for such specific purpose, and for all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent, or employee shall be personally liable for any such debt contracted.

SECTION 3. The operation and management of the machine heretofore purchased by Marlboro County for the writing of the auditor's and treasurer's tax books and receipts shall be the responsibility and obligation of the Auditor of Marlboro County.

SECTION 4. The sheriff of the county shall have the right whenever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney to be approved, and paid, by the county commissioners. The sheriff of the county shall also have the right to call in an attorney to prosecute cases in magistrates' courts for driving under the influence of whiskey.

SECTION 5. The sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars, hereinabove made, shall be ex-

pending by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

SECTION 6. The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall file his request for same, in writing, with the county board of highway commissioners, who shall make such purchase in accordance with provisions herein made. No office or board shall have any authority to make contracts of purchase or incur other obligations in the name of the county except as authorized by law, and no contracts made except as herein provided, shall be valid to bind the county.

SECTION 7. The appropriation of eleven thousand five hundred dollars for the treatment in the Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: That no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge for professional services to such patient, and no charge whatsoever except the daily expense of sixteen dollars and fifty-eight cents per patient. *Provided*, that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, such statement being presented to the board of county commissioners at their regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of sixteen dollars and fifty-eight cents, leaving fifteen dollars and fifty-eight cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give fifteen dollars and fifty-eight cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1961-1962. County funds shall be available only to match in this way funds coming from the Duke Founda-

tion for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The board of county commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management, forms and blanks for making the above-mentioned certified statements. *Provided*, further, that the charity patients herein referred to must be citizens of Marlboro County.

SECTION 8. The sheriff shall be allowed one dollar and twenty-five cents per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

SECTION 9. The janitor of the courthouse shall be hired by the supervisor.

SECTION 10. The county commissioners shall receive as pay for their services the sum of ten dollars for each day actually engaged on official duty and mileage at the rate of seven cents per mile actually traveled. All are to be paid from the contingent fund.

SECTION 11. The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

SECTION 12. The sheriff is authorized to sell all materials, supplies or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

SECTION 13. The board of commissioners shall publish once each month in some newspaper published in Marlboro County an itemized statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

SECTION 14. The county supervisor shall be the executive head of the county board of highway commissioners; but each member of the board of county highway commissioners shall have equal authority

and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

SECTION 15. The county commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge such taxes when collected as well as the full faith and credit of Marlboro County for its repayment, upon the written approval of the Legislative Delegation. No amount shall be borrowed in excess of anticipated taxes.

SECTION 16. The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with the transfer or use of such funds shall be deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the Legislative Delegation.

SECTION 17. The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

SECTION 18. At least fifteen hundred dollars of the eight thousand twenty dollars appropriated to Library Association in Item 5 hereof, shall only be used by such association for necessary expense in operating a circulating library over the county.

SECTION 19. In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

SECTION 20. Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

SECTION 21. Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro

County Hospital, or for other uses of the hospital, as herein provided or otherwise.

SECTION 22. Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

SECTION 23. All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

SECTION 24. The appropriation herein made for salaries for rural policemen and deputy sheriffs shall be allocated by and in the discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

SECTION 25. All execution fees collected by the tax collector which have heretofore been payable to the Treasurer of Marlboro County as the Treasurer's fees for collection of delinquent taxes shall from the date of this act be payable to the Treasurer of Marlboro County as funds of the county and shall be deposited by the Treasurer of Marlboro County in the County General Fund. All commissions or fees collected by the Treasurer of Marlboro County for the sale of State documentary stamps shall be paid over to the General Fund of the County by the Treasurer. All fees heretofore paid to the Auditor of Marlboro County for any purpose whatsoever shall be paid over to the Treasurer of Marlboro County as county funds and shall be deposited by the Treasurer in the General Fund of the county. This act will in no way affect the execution fees due the estate of Bessie R. David, deceased, and the estate of L. K. Breeden, deceased, on delinquent taxes that may hereafter be collected.

SECTION 26. All acts or parts of acts inconsistent herewith are repealed.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act Directing The South Carolina State Highway Department To Remove A Certain Road In Marlboro County From Its System And Closing The Road To Public Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Road in Marlboro County may be removed from system.—The South Carolina State Highway Department is hereby directed to remove from its system the following sections of road in Marlboro County: Road 35-344 from State Highway 9 to Road 35-36 with a spur to the Spinning Plant; and Road 35-353 from Road 35-36 to the Finishing Plant with a loop around the plant.

SECTION 2. Closing of.—The roads mentioned in Section 1 of this act are hereby closed to public use.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R113, H1294)

No. 614

An Act To Appropriate Funds Of Newberry County To The National Guard Unit At Whitmire For Purchasing Necessary Equipment For The New Armory At Whitmire.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation by Newberry County for armory at Whitmire.—There is hereby appropriated from the general fund of Newberry County the sum of three thousand dollars, or so much thereof as may be necessary, to the National Guard Unit at Whitmire. The funds shall be used to purchase necessary equipment for the new armory located at Whitmire.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R171, H1459)

No. 615**An Act To Authorize The Board Of Trustees Of Newberry County Hospital And The Treasurer Of Newberry County To Borrow A Sum Of Money For Hospital Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Newberry County Hospital may borrow money.

—The Board of Trustees of Newberry County Hospital and the Treasurer of Newberry County are hereby authorized to borrow for hospital purposes not exceeding sixty thousand dollars from the division of Sinking Funds and property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Newberry County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R377, H1712)

No. 616

An Act To Authorize The Treasurer Of Newberry County To Borrow A Sum Of Money For General County Purposes, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Newberry County may borrow money.—The Treasurer of Newberry County is hereby authorized to borrow for general county purposes not exceeding sixty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Newberry County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R624, H1879)

No. 617

An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following amounts are hereby appropriated for the following purposes for the County of Newberry, for the fiscal year beginning July 1, 1961, and the salaries of officers and employees are fixed as hereinafter stated:

Item 1. For salaries of County Officers to be disbursed as follows:

Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyance ..\$	5,082.00
Assistant	4,356.00
Clerical Help for Clerk of Court	2,541.00
Sheriff	5,445.00
Delinquent Tax Collector	4,356.00
Deputy Help for Tax Collector to be expended on authorization of Tax Collector	2,541.00
Jailor	3,156.12
Assistant Jailor	363.00
Senior Deputy Sheriff	4,443.12
Four Deputy Sheriffs	16,088.16
County Attorney	972.84
County Treasurer	2,613.60
Clerical Help for Treasurer	2,541.00
County Auditor	2,613.60
Clerical Help for Auditor	2,541.00
Joint Clerical Help for Auditor and Treasurer	2,541.00

Probate Judge	5,082.00
Clerical Help for Probate Judge	2,541.00
County Physician	1,089.00
<i>Provided</i> , that he treats all jail patients, chain gang patients and county home patients.	
Coroner	1,364.88
County Supervisor	5,082.00
Two Commissioners @ \$1,452.00 each	2,904.00
Clerk of County Board	4,356.00
Clerical Help for Board of Commissioners	1,200.00
Assistant County Agent	780.00
County Agent	900.00
<i>Provided</i> , Clemson College Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.	
Magistrates as follows:	
District No. 1, Whitmire	1,650.00
District No. 2, Newberry	3,960.00
Clerical Help	1,200.00
District No. 3, Prosperity	1,320.00
District No. 4, Pomaria	880.00
District No. 5, Chappells	880.00
District No. 6, Little Moutnain	880.00
Constables:	
District No. 1	2,904.00
District No. 2	2,904.00
District No. 3	987.36
District No. 4	755.04
District No. 5	1,219.68
District No. 6	711.48
Hostess for Community Hall	1,200.00
Keeper, Ladies' Rest Room	1,089.00
Keeper, Colored Rest Room	924.00
Newberry County Board of Registration	660.00
<i>Provided</i> , that the Sheriff be allowed the fees for dieting Federal and County prisoners according to the dieting fees allowed by Federal and State authorities; and <i>provided</i> , further, that the Treasurer is hereby authorized to pay all	

exchange charges by the banks on checks given in payment of taxes. *Provided*, further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly installments.

Total, Item 1	\$111,617.88
Item 2. Supervisor's Office:	
(a) Chain gang maintenance	\$ 26,000.00
(b) For repairs on public buildings, contingent expenses and supplies:	
(1) Telephone Service	3,900.00
(2) Water and Lights	3,200.00
(3) Fuel	3,800.00
(4) Insurance	2,200.00
(5) Repairs	4,000.00
(6) Janitor Supplies	1,000.00
(c) For Road Maintenance	65,000.00
<i>Provided</i> , that any unexpended funds appropriated for this purpose for the fiscal year 1960-1961 shall be added to the funds hereby appropriated.	
(d) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe	6,000.00
(e) Miscellaneous Contingent Fund	15,000.00
<i>Provided</i> , \$10,000.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$5,000.00 shall be spent upon the approval of the County Board of Commissioners.	
Total, Item 2	\$130,100.00
Item 3. For books, stationery, postage, printing and re-binding books and records in the County Court-house, if so much be necessary	\$ 7,500.00
Total, Item 3	\$ 7,500.00
Item 4. Miscellaneous and Contingent Expenses to be applied as follows:	
Uniforms for four Deputy Sheriffs	\$ 750.00

For premium on bonds of county officers, if so much be necessary	850.00
Travel, County Auditor	300.00
Welfare Worker, Travel Expense at nine cents per mile, if so much be necessary	480.00
Stenographer, Home Demonstration Agent's Office	798.60
Stenographer, County Agent's Office	360.00
Postage, Office Incidentals and Demonstration Material for:	
Home Demonstration Agent	150.00
County Agent	100.00
Boys' 4-H Club Work	75.00
Negro Boys' 4-H Club Work	75.00
Girls' 4-H Club Work	75.00
Negro Girls' 4-H Club Work	75.00
For Negro Home Demonstration Agent	950.40
Expenses, Negro Home Demonstration Agent ..	100.00
Clerical Help for Negro Home Demonstration Agent	1,500.00
Rent for colored Home Demonstration Agent and County Agent	320.00
Expenses, Negro County Agent	50.00
For printing in County newspaper, itemized quarterly reports of expenditures by the County Board of Commissioners	660.00
For Regional Library	8,600.00
Fuel, Whitmire Public Library	400.00
To S. C. Industrial Commission, Workmen's Compensation Act	3,500.00
To S. C. Retirement Fund and Insurance	6,650.00
Social Security	5,500.00
Emergency Relief	1,700.00
Newberry County Girl Scouts	75.00
Newberry County Boy Scouts	75.00
To County Treasurer for handling Documentary Stamps	300.00
For County Audit	1,500.00
County Health Work	6,354.20
For County Artificial Breeding Association ...	1,000.00

	For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary	2,000.00
	Expenses of Service Officer	500.00
	Travel for Coroner, payable \$25.00 monthly . . .	300.00
	Members, County Board of Public Welfare at \$121.00 each	363.00
	For maintenance of car radios for Sheriff's office at \$30.00 per month	360.00
	For expenses of Clerk of Court in Handling Nonsupport Cases	300.00
	Total, Item 4	\$ 47,146.20
Item 5.	Board of Equalization and Board of Assessors	\$ 2,000.00
	Total, Item 5	\$ 2,000.00
Item 6.	For expenses of Court of Common Pleas and General Sessions, if so much be necessary	\$ 5,000.00
	Total, Item 6	\$ 5,000.00
Item 7.	For dieting prisoners @ ninety cents per day, if so much be necessary	\$ 5,500.00
	Total, Item 7	\$ 5,500.00
Item 8.	Post Mortems and Lunacy and Coroner's Inquests, if so much be necessary	\$ 900.00
	Total, Item 8	\$ 900.00
Item 9.	Company Maintenance Funds, National Guard Co. K, 218th Infantry, Whitmire	\$ 1,000.00
	Custodian, Newberry National Guard Armory..	1,500.00
	Total, Item 9	\$ 2,500.00
Item 10.	Official Expense for Deputy Sheriffs to be paid in monthly installments of \$15.00 each	\$ 900.00
	Finger printing expense for Sheriff's office	300.00
	Total, Item 10	\$ 1,200.00
	GRAND TOTAL	\$313,464.08

SECTION 2. All salaries herein provided shall be for the fiscal year 1961-1962 and shall be paid monthly.

SECTION 3. All revenue and income accruing to the County of Newberry in 1961-1962 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

SECTION 4. The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in the County of Newberry for the year beginning July 1, 1961, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

SECTION 5. A special levy of one mill for the year beginning July 1, 1961, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

SECTION 6. The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1961-1962 of any and all departments, offices and officers of Newberry County.

SECTION 7. The penalty of three per cent on delinquent taxes shall go to Newberry County, *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

SECTION 8. The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

SECTION 9. All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R27, H1115)

No. 618**An Act To Validate The Election Held Pursuant To The Provisions Of Act No. 1096 Of The Acts Of 1960 Whereby There Was Created The East Seneca Water District.**

Whereas, pursuant to the provisions of Act No. 1096 of the Acts of 1960, a special election was held on August 16, 1960, at which was submitted to the qualified electors of the proposed East Seneca Water District the following questions:

“Do you favor the establishment of the East Seneca Water District and a governing commission therefor?”

“Shall East Seneca Water District issue general obligation bonds in a sum not exceeding two hundred fifty thousand dollars, the proceeds of which shall be used to construct and establish a water system in the district?”

and

Whereas, in the voting that took place at the election, eighty-one persons voted for the establishment of the district, with two against, while seventy-eight persons voted for the issuance of the bonds with five opposing; and

Whereas, questions have arisen as to whether all conditions relating to the holding of the election were properly observed; and

Whereas, the election has resulted favorably by such a large margin, the General Assembly is minded to declare the district validly created, with functions and powers as provided in Act No. 1096 of the Acts of 1960, and to declare that the condition precedent imposed by paragraph 18 of Section 3, relating to the favorable result of an election before bonds might be issued, has been fully met and discharged, so that those holding office as members of the East Seneca Water District Commission can discharge the functions committed to them by such act, including the issuance of general obligation bonds of the district as contemplated by paragraph 17 of Section 3. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly after due consideration finds that the statements of fact set forth in the preambles to this act are in all respects correct and that the special election held in East Seneca Water District on August 16, 1960 resulted favorably upon the two questions submitted thereat.

SECTION 2. Creation of East Seneca Water District validated.

—East Seneca Water District is hereby declared to be validly created pursuant to Act No. 1096 of 1960, and East Seneca Water District Commission is fully authorized and empowered to undertake and discharge all functions committed to it by Section 3 thereof.

SECTION 3. Bond issue authorized.—The election held upon the issuance of not exceeding two hundred fifty thousand dollars of general obligation bonds of the district is hereby declared to have resulted favorably, and the condition precedent imposed as to the issuance of such bonds is hereby declared fully met, and the East Seneca Water District is hereby authorized and empowered to issue the bonds authorized by such act without the necessity of holding further elections upon the question of the issuance of the bonds. The bonds, when issued in accordance with the remaining provisions of Act No. 1096, shall be valid and binding obligations of East Seneca Water District, payable from an ad valorem tax upon all taxable property in the district, without limit as to rate or amount, and additionally secured in the manner prescribed by paragraph 17 of Section 3, if East Seneca Water District Commission shall so determine.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 2nd day of February, 1961.

(R592, H1848)

No. 619

An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1961.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the legislative

delegation, and the treasurer to collect a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1961, and ending June 30, 1962, and a sufficient levy for the payment of any outstanding bonded indebtedness, as well as for the repayment of the nine hundred thousand dollar Hospital Bond issue.

SECTION 2. From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

Item 1.

- A-1. Chain Gang\$ 24,000.00
- A-2. Roads, Bridges, Rock Crusher, labor and replacement parts, trucks and machinery 126,000.00
\$75,000.00 of the above amount shall come from gasoline tax, balance from the General Fund of the County. *Provided*, that \$15,000.00 of the \$126,000.00 is prorated for services and materials used in incorporated towns of Oconee County. Said funds to be prorated between municipal corporations of Oconee County according to the assessed valuation; *provided*, further, no municipal corporation shall receive less than \$800.00 regardless of assessment.
- A-3. Payment of new equipment 25,000.00
- B. Road Bonds and Interest 30,000.00
So much of the gasoline tax fund derived from the one cent gasoline tax received by the county as shall be necessary to repay the principal and interest on road bonds due and payable in the fiscal year 1961-1962 shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of said principal and interest in the amount listed above.
- C. Paved Roads 60,000.00
Provided, each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are kept on each project, showing expenditures and to what purposes.

Item 2.

- A. Operation and maintenance of county farm to include salary of steward and matron, and purchases that may become necessary\$ 10,500.00

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above mentioned in an economical and businesslike manner, and to that end the following procedure shall be observed:

a. The supervisor and members of the board of commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C., Paved Roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commissioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economies effected and distribution of contracts among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed four hundred dollars may be made by the county supervisor without bids and advertisement. *Provided*, that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3. Salaries:

A. Clerk of Court	\$ 4,700.00
1st clerk	3,200.00
2nd clerk	3,000.00
3rd clerk	3,000.00
Office Supplies	5,000.00

B. Treasurer	1,202.00
Clerk	3,000.00
Extra Clerical Hire	700.00
Office Supplies	1,250.00
C. Auditor	1,202.00
1st clerk	2,800.00
2nd clerk	2,800.00
Office Supplies	800.00
D. Supervisor	5,000.00
Clerk	3,000.00
Office Supplies	1,000.00
E. Judge of Probate	3,800.00
Clerk	2,800.00
Office Supplies	1,500.00
Extra Special Hearing Clerk	300.00
F. Comptroller	4,300.00
Clerk	3,200.00
Office Supplies	300.00
G. County Physician	800.00
H. County Attorney	800.00
<i>Provided, that additional compensation shall be authorized by the supervisor and county board of commissioners in litigation to be paid from the contingent fund.</i>	
I. Coroner	1,400.00
Travel	250.00
Office Supplies	50.00
J. Custodian of courthouse and county offices	2,800.00
K. Members board of commissioners	
Salary (5) @ \$600.00 each	3,000.00
Travel (5) @ \$600.00 each	3,000.00
<i>Provided, travel is done in own vehicles at own expense and not in county vehicles.</i>	
L. Tax Collector	4,300.00
Travel	360.00
Clerk	2,800.00
Office Supplies	400.00
M. Law Enforcement	
Sheriff's Salary	5,000.00
Chief Deputy Sheriff, Salary	4,200.00

7 Deputies @ \$4,000.00 each	28,000.00
Uniforms, Sheriff and Deputies, (8) @ \$100.00 each	800.00
<i>Provided</i> , that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County. <i>Provided</i> , further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers.	
Gasoline	5,000.00
<i>Provided</i> , all fees hereto accruing to the Sheriff and Deputies shall be returned to the General Fund of the county.	
Clerk	2,800.00
Maintenance	7,500.00
Purchase and repair of automobiles for sheriff and deputies, <i>provided</i> , one new car is purchased each year.	
Jailors	4,000.00
Salaries to be set by Sheriff.	
Industrial Constables	2,200.00
Office Supplies	500.00
N. Magistrates:	
Seneca	1,200.00
Walhalla	1,200.00
Westminster	1,200.00
Salem	700.00
Oakway	700.00
Office Supplies	150.00
To be approved by County Comptroller prior to purchase; no magistrate to use over \$30.00 each.	
O. Miscellaneous:	
Home Demonstration Stenographer supplement	1,500.00
Farm Agent Stenographer supplement	1,040.00
Clerical Assistant to Probation Officer	300.00
Item 4. Boards:	
A. Board of Tax Appeals	\$ 300.00
Board of Assessors to be paid from the General Contingent Fund with the approval of the Delegation.	

	B. Sinking Fund Commission, 3 members @ \$50.00 each	150.00
Item 5.	Contributions:	
	A. Supplies and telephone, Home Demonstration Agent	\$ 200.00
	B. Supplies, Farm Agent	100.00
	C. Boys' 4-H Club Work	100.00
	D. Girls' 4-H Club Work	100.00
	E. Future Farmers Chapter	100.00
	F. Junior Home Makers Chapter	100.00
	G. Maintenance 4-H Club Center	300.00
	H. Travel for 2 fire wardens @ \$500.00 each	1,000.00
Item 6.	Oconee County Library Commission	\$ 20,500.00
Item 7.	Court expense	\$ 10,000.00
	A. <i>Provided</i> , petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance.	
	B. Magistrate and coroner jurors shall be paid one dollar per day.	
Item 8.	Operating of jail, including feeding prisoners .. (Upon presentation of itemized and notarized claims.)	\$ 5,000.00
Item 9.	Public Welfare:	
	A. Emergency Relief	\$ 5,500.00
	<i>Provided</i> , that no more than fifty per cent shall be expended in any one quarter. <i>Provided</i> , further, that no more than fifty per cent shall be expended in six months.	
	B. Board of Public Welfare, 3 members @ \$60.00 each	180.00
	C. Travel for Child Welfare Worker	800.00
Item 10.	Lunacy and Inquest	\$ 1,200.00
Item 11.	Public Buildings, Upkeep and Maintenance (All purchases to be made by the Supervisor.)	\$ 8,000.00
Item 12.	Books, printing, postage, etc., as specified in Office Supplies. <i>Provided</i> , that no office equipment shall be purchased with these funds.	
Item 13.	Bond premiums and insurance	\$ 6,500.00
Item 14.	Telephone Account	\$ 2,500.00

Provided, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.

Item 15. County Health Unit	\$ 10,500.00
Item 16. County Planning Board	\$ 7,500.00
Item 17. County Service Officer, county's part	\$ 2,900.00
Item 18. County Hospital	\$ 5,000.00
Item 19. Contingent Fund	\$ 10,000.00

Provided, that said fund shall be expended only upon the written approval of a majority of the Legislative Delegation.

Item 20. General Contingent	\$ 7,500.00
-----------------------------------	-------------

Provided, that rentals, magistrates' telephones and miscellaneous obligations, including an annual audit of books and records of Oconee County shall be paid therefrom.

Item 21. National Defense:	
Seneca Unit	\$ 1,000.00
Clemson Unit	300.00

Item 22. Retirement and Social Security, county's part ..	\$ 13,000.00
---	--------------

Item 23. Law Enforcement Travel—out of county travel.	\$ 500.00
---	-----------

The Sheriff or his deputies, when on necessary official duty beyond the limits of the county, shall be paid actual expenses, not to exceed ten dollars per day. Before being paid, he shall present itemized and notarized vouchers for mileage and receipted bills for expenses.

Item 24. Artificial Insemination Program	\$ 1,800.00
--	-------------

Provided, this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.

Item 25. Soil Conservation	\$ 1,500.00
----------------------------------	-------------

Provided, that such funds shall be used only in the maintenance and operation of The Coneross Watershed project.

Item 26. Police Annuity	\$ 5,000.00
-------------------------------	-------------

Item 27. Civil Defense	\$ 500.00
------------------------------	-----------

To be expended upon the approval of the legislative delegation.

Item 28. Rural Fire Control Commission\$ 300.00
To be expended upon the approval of the legis-
lative delegation.

GRAND TOTAL, ALL EXPENDITURES ..\$551,234.00

Estimated Revenue Other Than Taxes:

Gasoline Tax	\$120,000.00
Alcoholic Liquor Tax	32,000.00
Beer and Wine Tax	8,000.00
Bank Tax	2,500.00
Insurance License Fees	11,000.00
Income Tax	35,000.00
National Forest Fund	21,000.00
Magistrate Fines	32,000.00
Judge of Probate, fees	3,000.00
Clerk of Court	25,000.00
Other fees and forfeitures	5,000.00

TOTAL

\$294,500.00

Amount to be raised by taxes

\$256,734.00

SECTION 3. The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the appropriation act.

SECTION 4. A tax of thirty-eight mills is hereby laid upon all taxable property of Oconee County for general school purposes, and the Auditor of Oconee County is hereby authorized and directed to levy the tax laid, and the treasurer is required to collect the revenues arising therefrom, and the revenues shall be used by the Oconee County Board of Trustees of the School District of Oconee County for administration, the supplementation of teachers' salaries, maintenance and operation of all schools located in the School District of Oconee County.

SECTION 5. The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as reported by the South Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods

as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

SECTION 6. The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

SECTION 7. No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The legislative delegation is hereby empowered to transfer from the General Fund, or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board of commissioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

SECTION 8. The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total number of acres being farmed and the market value of all commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures and to what purpose.

SECTION 9. The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory shall be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

SECTION 10. All past transfers of funds by order of the members of the previous and present legislative delegation are hereby validated and confirmed.

SECTION 11. The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1961, to June 30, 1962, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any and all bids made therefor.

SECTION 12. The treasurer, upon written request of the county board of education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1961, to June 30, 1962, and to execute obligations in the name of the schools for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and county board of education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any or all bids made therefor.

SECTION 13. The treasurer, upon written request of the county board of education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the General Fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools. Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the General Fund of the county.

SECTION 13-A. The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the General Fund of the county school funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school fund of the county.

SECTION 14. The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee County is authorized to pay same from any school fund in anticipation of the receipts of monthly State aid and transportation; *provided*, such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided*, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

SECTION 15. Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes, such department head or heads, not to include the superintendent of education, shall make requisition by order or voucher to the county comptroller's officer whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

SECTION 16. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 17. All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the

availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and the records shall at all times be subject to public inspection.

SECTION 18. The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the treasurer and comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

SECTION 19. No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in the performance of their official duties, except that a department or agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided*, in case of such a leave of absence the department granting the leave of absence shall employ a qualified substitute for the duration of the leave of absence.

SECTION 20. All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense; Clemson and Seneca Units; and Soil Conservation Board, shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

SECTION 21. Salaries for ordinary clerical employment shall be based on the following schedule:

Beginning or probationary period	\$ 2,400.00
After six months service	2,600.00
After 2 years service	2,800.00
After 5 years service	3,000.00
After 10 years service	3,200.00

The above is based on service as of the beginning of each fiscal year.

The term service shall mean continuous employment except upon official leave of absence granted by the department head.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R62, H1225)

No. 620

An Act To Authorize The Trustees Of Holly Hill School District No. 3, Orangeburg County, To Borrow Not Exceeding Fifty Thousand Dollars, Or The Constitutional Limit, For The Purpose Of Defraying The Cost Of Capital Improvements In The District, And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Holly Hill School District 3 may borrow money.—The Trustees of Holly Hill School District No. 3, of Orangeburg County, are hereby authorized to borrow a sum of money not exceeding fifty thousand dollars, or the constitutional debt limitation applicable to the district, for the purpose of defraying the cost of capital improvements of the district. The term, capital improvements, shall mean the constructing, improving, equipping, removal of and repairing of school buildings or other school facilities, or the cost of acquisition of land whereon to construct or establish such school facilities. The amount borrowed shall be evidenced by a note executed by the members of the board of trustees of the school district and shall bear interest at a rate not exceeding four per cent per annum, payable semiannually. One-fifth of the principal of the loan shall mature four years from the date of the note and one-fifth in each of the succeeding years thereafter until the entire obligation is fully paid.

SECTION 2. Payment.—For the payment of the principal and interest of the note, the full faith, credit and resources of the school district are irrevocably pledged and there shall be levied annually by the Auditor of Orangeburg County and collected by the Treasurer of

Orangeburg County in the same manner as county taxes are levied and collected a tax without limit on all taxable property in the school district sufficient to pay the principal and interest of the note as they respectively come due and to create such reserve fund as may be necessary therefor.

SECTION 3. Exempt from taxes.—The note issued under this act shall be exempt from all State, county, municipal, school district, and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 4. Proceeds.—The proceeds derived from the note shall be deposited with the Treasurer of Orangeburg County in a special fund to the credit of Holly Hill School District No. 3, and shall be applied solely to the purposes for which the note was issued.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R96, H1231)

No. 621

An Act To Authorize And Direct The County Highway Commissioners Of Orangeburg County To Deed Unto Mamie B. Smoak Certain Property In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County to deed certain property.—The County Highway Commissioners of Orangeburg County are hereby authorized and directed to execute a quitclaim deed unto Mamie B. Smoak of all the right, title and interest of Orangeburg County in and to the following described piece of real property :

All that certain piece, parcel or lot of land situate, lying and being in Zion Township, School District No. 4 (Old School District No. 49), Orangeburg County, South Carolina, containing two (2) acres, more or less, and bounded on the East by the Cannon Bridge Public Road ; South by a community road separating said

lot from lands now or formerly of Clifford Sanders; West by property of Mamie B. Smoak; and on the North by property of Mamie B. Smoak.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R247, S292)

No. 622

An Act To Authorize The Orangeburg County Highway Commission To Convey Certain Property To The Government Of The United States Of America Under Certain Conditions.

Whereas, the County of Orangeburg owns certain lands located on the Cannon Bridge Road, known as the Orangeburg County Lake and Fish Hatchery; and

Whereas, the fish hatchery was developed with W. P. A. funds and has been used and controlled by the State of South Carolina in cooperation with the United States Department of Fish and Wildlife Resources; and

Whereas, the fish hatchery portion of the property is presently being used by the United States Department of Fish and Wildlife Resources for the propagation of fish which are being distributed in the southeastern area of the United States of America; and

Whereas, it is for best interest of all concerned that the United States own and operate the fish hatchery in conjunction with the present fish hatchery located in the City of Orangeburg; and

Whereas, the General Assembly finds that this arrangement is for the best interest of Orangeburg County and its citizens; and

Whereas, the Congress of the United States has approved legislation appropriating money for the development of the present United States Fish Hatchery and the facilities presently owned by Orangeburg County but operated by the United States, which legislation requires that the facilities owned by Orangeburg County or a portion of the same be conveyed in fee simple to the United States. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County Highway Commission may convey certain lands.—The Orangeburg County Highway Commission is authorized and directed to convey to the government of the United States such of the lands and property known as the Orangeburg Fish Hatchery located on the Cannon Bridge Road approximately six miles southwest of the City of Orangeburg, South Carolina, as may be determined by the United States Department of Fish and Wildlife Resources and the Orangeburg County Highway Commission to be necessary for the establishment of a United States Fish Hatchery from the present facilities, including any easements and encroachments on, over and under the remaining portion, if any, of such property which are deemed essential to a successful operation. The conveyance shall be made upon the condition that the United States establish the fish hatchery according to plans and specifications of the United States Department of Fish and Wildlife Resources.

SECTION 2. Approval of Legislative Delegation required.—Upon the representatives of the United States Government and the County Highway Commissioners of Orangeburg County approving the necessary acreage to be transferred, the same shall be approved, in writing, by a majority of the Legislative Delegation of Orangeburg County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

An Act To Make Supplemental Appropriations For Orangeburg County For The Fiscal Year July 1, 1960 To June 30, 1961.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There are hereby appropriated the following amounts for county purposes for Orangeburg County for the fiscal year July

1, 1960 to June 30, 1961, which shall be in addition to the Orangeburg County Appropriations Act:

Maintenance of chain gang, purchase of material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant..	\$ 51,000.00
County Health Work	5,000.00
Contingent Expenses	20,000.00
Total	\$ 76,000.00

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 14th day of April, 1961.

(R480, S381)

No. 624

An Act To Authorize The Orangeburg County Highway Commission To Convey And Quitclaim Its Interest In Certain Property To The Orangeburg County Historical Society, Inc.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Orangeburg County Highway Commission may convey property to Historical Society.—The Orangeburg County Highway Commission is authorized to convey and quitclaim all of its right, title and interest in the property hereinafter described to the Orangeburg County Historical Society, Inc. The property to be conveyed is described as follows:

“All of that certain piece, parcel or tract of land situate, lying and being on the northwest side of Bull Street between Broughton and Middleton Streets in the City of Orangeburg, in the County of Orangeburg, in the State of South Carolina, and shown on a plat of same compiled by P. D. Copes on February 16, 1961, from a plat of W. A. Livingston, made by Edward Hawes, Reg. C.E., on March 25, 1939, and bounded as shown on the plat as follows: On the north and northeast by property of W. A. Livingston, on the southeast by Bull Street (NE), and on the south and northwest by the National Guard Armory.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R563, H1830)

No. 625

An Act To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1961, To June 30, 1962; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1961, and ending June 30, 1962, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1961-1962 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1. Maintenance of chain gang, purchase of material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant \$150,000.00

Total, Roads and Bridges\$150,000.00

County Highway Commission:

- 4-A. Salary, Members of Highway Commission\$ 5,000.00
- 4-B. Salary, Clerk of Highway Commission 3,300.00
- 4-C. Salary, County Attorney 1,200.00

Provided, that the salary shall cover all services rendered against the county except in actions in tort against the county.

Provided, further, that no other attorney shall be employed except with the approval of the county legislative delegation.

4-D. Salary, County Director	7,800.00
4-E. Extra Clerical Help, Highway Commission	1,200.00
<hr/>	
Total, County Highway Commission	\$ 18,500.00
County Treasurer:	
10-A. County's portion, salary, County Treasurer	\$ 3,102.00
<i>Provided, that the county shall pay so much as will make his salary from county and state total \$6,600.00.</i>	
10-B. Salary, Deputy, County Treasurer	5,088.00
10-C. Clerical Help, Treasurer's Office	3,480.00
<hr/>	
Total, County Treasurer's Office	\$ 11,670.00
County Auditor:	
15-A. County's portion, salary, County Auditor	\$ 3,102.00
<i>Provided, that the county shall pay so much as will make his salary from the county and state total \$6,600.00.</i>	
15-B. Salary, Deputy Auditor	5,088.00
15-C. Clerical Help, Auditor's Office	3,498.00
15-D. Traveling expenses, County Auditor	100.00
15-E. Auditor's Equalization Fund	1,500.00
<hr/>	
Total, County Auditor	\$ 13,288.00
Clerk of Court:	
25-A. Salary, Clerk of Court	\$ 6,600.00
25-B. Salary, Deputy Clerk of Court	5,088.00
25-C. Salary, Clerk, Clerk of Court	2,544.00
25-D. Recording Clerk in Office of Clerk of Court	3,000.00
<hr/>	
Total, Clerk of Court	\$ 17,232.00
Education Department:	
30-A. Superintendent of Education, office expense ..	\$ 600.00
30-B. Salary, Clerks to Superintendent of Education ..	5,088.00
30-C. Supplement, County Lunch Room Supervisor ..	689.00
30-D. Superintendent of Education, County's portion of salary	2,475.00

Provided, that only so much shall be paid as to make a total salary from the county and state of \$6,600.00.

30-E. Travel, Superintendent of Education	630.00
30-F. Per diem and travel, members County Board of Education	4,000.00
30-G. Travel, Attendance Teacher	300.00
30-H. Secretary to County Lunch Room Supervisor ..	2,035.20
32-A. Eye treatment and glasses, needy school children, to be spent under supervision of Attendance Teacher	300.00

Total, Education Department\$ 16,117.20

Library Department:

34-A. Salary, Librarian	\$ 3,600.00
34-B. Salary, Assistant Librarian	2,340.00
34-C. Salary, Assistant Librarian	2,000.00
34-D. Salary, Bookmobile Librarian	2,220.00
34-E. Salary, Bookmobile Driver (Part Time)	1,350.00
34-F. Salary, Desk Assistants (Main Library)	2,640.00
35-H. Salary, Librarian (Branch Library)	2,000.00
35-I. Salary, Assistant Librarian (Branch Library) ..	1,350.00
35-J. Salary, Bookmobile Driver (Branch Library—part time)	900.00
35-K. Salary, Custodian Holly Hill Library	350.00
35-L. Salary, Custodian Ellore Library	350.00
35-M. Books and Periodicals	2,500.00
35-N. Supplies and Binding Expense	1,000.00
35-O. Travel, Library Commission	250.00
35-P. Bookmobile operation expense	700.00
35-Q. Miscellaneous Expenses	1,200.00
35-S. Travel, Librarian	300.00
35-T. Salary Adjustments	1,146.00

Total, Library Department\$ 26,196.00

Provided, that all funds appropriated herein for Item 30-A through 35-T are appropriated directly to the Orangeburg County Board of Education to be expended and disbursed by the board

in accordance with the provisions of this act; *provided*, further, that any funds donated by the South Carolina Library Board shall be used for the purchase of books and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses; *provided*, further, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights, heating, repairs, post office box rent and association meetings and dues; *provided*, further, that the County Director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance thereof; *provided*, further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided*, further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

Tax Collector:

39-A. Salary, Tax Collector	\$ 5,500.00
39-B. Clerk and Bookkeeper to Tax Collector	2,700.00
<hr/>	
Total, Tax Collector's Office	\$ 8,200.00

Law Enforcement:

40-A. Salary, Sheriff	\$ 6,600.00
40-B. Expense in and outside of county	1,800.00
43-A. Salary, Jailor	2,544.00
43-B. Dieting Prisoners	8,000.00

Provided, that the Sheriff shall be allowed one dollar per day for dieting each prisoner; *provided*, however, that the day of admittance shall

be excluded, and the day of discharge included in computing the number of prisoner days.

43-C. Jail equipment, repairs, heating and miscellaneous expense	4,000.00
46-B. Salary, eight Deputies @ \$3,600.00	28,800.00
46-C. Salary, Chief Deputy Sheriff	4,100.00
46-D. Travel, nine Deputy Sheriffs @ \$2,400.00 each	21,600.00
<i>Provided</i> , that the County Treasurer is authorized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their custody between the time of their arrests and transfer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.	
46-E. Purchase of uniforms and Law Enforcement equipment	1,800.00
46-F. Radio maintenance	3,000.00
46-G. Radio Operator	1,590.00
Miscellaneous Expense, Sheriff's Office	500.00
Total, Law Enforcement	\$ 84,334.00

Judicial Department:

50-A. Court Expense	\$ 11,000.00
<i>Provided</i> , the court bailiffs shall receive five dollars per day; <i>provided</i> , the chief bailiff to be designated by the Sheriff shall receive six dollars per day. <i>Provided</i> , further, that ten dollars may be paid for each transcript of testimony at Coroner's inquests, upon the approval of the Coroner. <i>Provided</i> , further, that in the event any capital cases are appealed to the Supreme Court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.	
50-B. County Audit, as contracted for by Orangeburg County Highway Commission, not to exceed ..	1,500.00
53-B. Salary, County Judge	11,300.00
53-C. Salary, Stenographer for County Judge	4,000.00

53-D. Salary, Court Stenographer for county court work	1,000.00
53-E. Clerical help for Circuit Solicitor, to be drawn and disbursed by him	1,200.00
53-F. Travel, First Circuit Probation Officer	480.00
54-A. Salary, Domestic Relations Court Judge (part time)	4,500.00
54-B. Salary, Stenographer, Domestic Relations Court	3,300.00
54-C. Salary, Probation Counselor, Domestic Relations Court	5,300.00
54-D. Travel, Probation Counselor, Domestic Relations Court	1,500.00
54-E. Law Library, County Judge	100.00
54-F. Miscellaneous Expense, Domestic Relations Court	600.00
<hr/>	
Total, Judicial Department	\$ 45,780.00
Probate Judge:	
55-A. Salary, Judge of Probate	\$ 6,600.00
55-B. Salary, Deputy Judge of Probate	4,016.00
55-C. Post Mortems and Lunacies	800.00
<hr/>	
Total, Judge of Probate	\$ 11,416.00
Magistrates (Part Time):	
58-A. Salary, Magistrate at Orangeburg	\$ 3,000.00
58-B. Stenographic service and office expense of Magistrate at Orangeburg	1,200.00
59-A. Salary, Magistrate at North	1,200.00
59-B. Salary, Magistrate at Branchville	1,200.00
59-C. Salary, Magistrate at Bowman	1,080.00
59-D. Salary, Magistrate at Holly Hill	1,200.00
59-E. Salary, Magistrate at Elloree	1,200.00
59-F. Salary, Magistrate at Springfield	1,080.00
59-G. Salary, Magistrate at Cope	1,200.00
59-H. Salary, Magistrate at Neeses	600.00
59-I. Salary, Magistrate at Norway	1,080.00
59-J. Salary, Magistrate at Eutawville	1,080.00
<hr/>	
Total, Magistrates	\$ 15,120.00

County Health Work	\$ 30,473.82
60-A. Rabies Control Officer	3,000.00

Total, County Health Work\$ 33,473.82

Provided, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation. Any unexpended funds remaining at the end of the fiscal year shall revert to the general fund of the county.

Provided, further, the rabies control program shall be under the supervision and control of the county health officers.

Farm and Home Demonstration Department:

65-A. Office expense, Farm Demonstration Agent ...	\$ 75.00
65-B. Salary Supplement, Farm Demonstration Agent Assistants (Part)	1,080.00
65-C. Supplementary Stenographic Service, Farm (\$900.00) and Home (\$1,200.00) Demonstration Agents	2,100.00
65-D. Salary, Supplement, Home Demonstration Agent	280.00
65-D-1. Supplies for Home Demonstration Agent	75.00
65-D-2. Salary Supplement, Assistant Home Demonstration Agent	280.00
65-E. Salary Supplement, Farm Demonstration Agent	1,300.00
65-F. Boys' 4-H Club	100.00
65-G. Girls' 4-H Club	100.00
65-H. Home Demonstration Club Work	50.00
65-I. Salary Supplement, Negro Demonstration Agent (Part)	1,000.00
65-J. Salary and Expense, Assistant to Negro Farm Demonstration Agent	2,800.00
65-K. Negro Home Demonstration Agent, Part Salary	851.00
65-L. Expense, Negro Home Demonstration Agent ..	180.00
65-M. Expense, Negro Farm Demonstration Agent ...	240.00
65-N. Negro Fair Association	300.00
65-O. Negro Boys' 4-H Club	100.00

65-P. Stenographer, Negro Home and Farm Demonstration Agents	1,900.00
65-Q. Negro 4-H Girls' Club	100.00
65-R. New Home Makers' Club	100.00
65-S. Rent, Negro Farm and Home Demonstration Office	600.00
<hr/>	
Total, Farm and Home Demonstration Department	\$ 13,611.00

Social Service:

70-A. Relief for the needy under the supervision of Department of Public Welfare	\$ 4,500.00
Such sum to be advanced to County Welfare Department quarterly and, at the end of each quarter period, the County Legislative Delegation shall be furnished a statement showing how such money was spent.	
70-B. Hospital Aid for Charity Patients	\$ 30,000.00
<i>Provided</i> , such sum of money shall be paid to the Orangeburg Hospital at Orangeburg in quarterly payments and, before such payments are made, the hospital shall furnish to the Orangeburg County Highway Commission a statement showing the number of charity patients treated, and the number of days such patients were treated during the preceding quarter, and not more than thirty per cent of the total appropriation shall be drawn for any one quarter of the fiscal year. <i>Provided</i> , further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in investigating the financial standing of any person applying for assistance under the provisions of this section. <i>Provided</i> , further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.	
70-C. County Welfare Department, Petty Cash	600.00
70-D. Expense of Child Welfare Workers	800.00
70-G. Stenographer, Department of Public Welfare ..	2,400.00

72-A. Salvation Army, for aid in county	600.00
73-A. Children's Nursery at Orangeburg	600.00
73-F. Colored Children's Work	180.00
73-H. Sunlight Club, for aid in county	600.00

The amount hereinabove appropriated under item 70-G shall be transmitted to the State Department of Public Welfare for the purpose of paying the salary of a stenographer in the local office.

Total, Social Service	\$ 40,280.00
-----------------------------	--------------

Miscellaneous Expenses and Services:

75-A. Salary of Coroner (Part Time)	\$ 660.00
75-B. Payment of Coroner's juries at rate of two dollars for each member	400.00
75-C. Orangeburg County Planning and Development Commission	10,000.00
<i>Provided</i> , that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.	
75-D. Salary, Service Officer	5,500.00
<i>Provided</i> , that his full time is given to the duties of his office.	
75-D-1. Stenographer for Service Officer	2,544.00
75-D-2. Expenses, Service Officer	1,500.00
<i>Provided</i> , that he be furnished an office in the courthouse.	
75-E. Salary, Members of Board of Registration	1,300.00
<i>Provided</i> , the chairman shall receive a salary of \$500.00 from county appropriation.	
75-G. Expense, Local South Carolina National Guard Units	1,000.00
75-I. Expense, Civil Defense	500.00

Total, Miscellaneous Expenses and Services ...	\$ 23,404.00
--	--------------

General Expense: . . .

80-A. Stationery, Books, Office Supplies, Equipment, Printing, Postage and Advertising	\$ 16,500.00
--	--------------

80-B. Insurance on Public Buildings	1,500.00
80-C. Premiums on Bonds of County Officials	950.00
80-D. Courthouse, Expenses, including coal, water, lights, supplies, telephones, etc.	16,500.00
80-E. Part time Clerical Help, Orangeburg Soil Con- servation District	1,000.00
80-G. Printing County Claims	600.00
80-H. Janitor Service, Courthouse	2,100.00
80-I. Janitors, Office Building	980.00
80-J. Janitors, County Health Center	1,200.00
80-K. To match funds of county officers and employees for retirement purposes and Social Security	17,400.00
80-L. Workmen's Compensation Coverage	1,000.00
80-N. To supplement funds, County Officers and Em- ployees—Group insurance	6,400.00
80-T. Secretary to Delegation (Salary)	180.00

Total, General Expense \$ 66,310.00

Contingent Fund:

85-A. Contingent Expenses	\$ 25,000.00
<i>Provided</i> , that the expenditures from this item shall be approved by the County Legislative Delegation.	

Total, Contingent Fund \$ 25,000.00

Transitory Expenditures:

90-G. For heat, water and expenses of curb market . . \$	180.00
<i>Provided</i> , this amount shall be paid monthly to the secretary.	

Total, Transitory Expenses \$ 180.00

TOTAL FOR OPERATING EXPENSES . . \$620,112.02

SECTION 2. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant or warrants shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County

is prohibited from paying any warrants which exceed such sum; *provided*, that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund; *provided*, further, that the Treasurer of Orangeburg County is authorized to deposit county funds in any banking institution or depository within the county, where the deposits are not insured, provided such banking institution or depository shall place with the county treasurer securities which in his judgment adequately protect any such deposit.

SECTION 3. The sums hereinabove appropriated shall only be used if so much be necessary and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided*, that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of seven cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

SECTION 4. All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided*, that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided*, however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

SECTION 5. Wherever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

SECTION 6. No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned

by Orangeburg County. The appropriation for Contingent Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under Items 30-F, 43-B, 43-C, 50-A, 55-C, 80-A, 80-D, 80-K, and 80-L, in case the specific appropriations therefor shall be exhausted.

SECTION 7. Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

SECTION 8. The county service officers, the attendance teacher, each outside deputy sheriff, the county health director and the county forestry ranger shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

SECTION 9. Jurors in the County Court shall be paid a per diem of four dollars for each day of attendance upon any session of the County Court.

SECTION 10. Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County, and when any new employee enters the service of Orangeburg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

SECTION 11. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 12. All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R173, H1496)

No. 626

An Act To Authorize And Empower The Board Of Trustees Of Pickens County School District A To Issue Not Exceeding One Million Six Hundred Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly takes note of the fact that in the year 1951 all school districts theretofore existing in Pickens County were consolidated into a single school district embracing an area coextensive with Pickens County and designated as Pickens County School District A. It takes further note of the fact that the continued growth of the school population of the school district requires extensive additional public school facilities, and that in order to raise moneys for that purpose general obligation bonds of the school district must be issued. An appropriate investigation has been made to determine the extent to which bonds may be issued, and it has been ascertained that by reason of the special amendment to Section 5 of Article X of the State Constitution proposed by Joint Resolution 1109 of the Acts and Joint Resolutions for the year 1960, the subsequent approval thereof by the electorate of South Carolina, and the ratification of such amendment by an act of the General Assembly enacted at the present session, bonds of the district may be issued to the extent authorized by this act. On the basis of the foregoing, the General Assembly has determined to empower the Board of Trustees of Pickens County School District A (hereinafter called "The School Trustees"), to provide additional public school facilities for the school district and to raise therefor the sum of one million six hundred thousand dollars through the sale of the bonds authorized by this act.

SECTION 2. Pickens County School District A may issue bonds.—The School Trustees are hereby authorized and empowered to issue general obligation bonds of Pickens County School District A, either as a single issue, or from time to time as several separate issues, in the aggregate principal amount of not exceeding

one million six hundred thousand dollars, and to apply the proceeds of the bonds to the purposes prescribed by this act.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the school trustees shall provide for, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the School Trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of the bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Pickens County, upon such conditions as the School Trustees may prescribe. Except when so registered, all bonds issued pursuant to this act, shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the School Trustees shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates to be determined by the School Trustees.

SECTION 8. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the School Trustees shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. All bonds authorized by this act shall be sold at public sale, after public advertisement of the sale in a newspaper

of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Pickens County School District A shall be irrevocably pledged, and there shall be levied annually by the Auditor of Pickens County, and collected by the Treasurer of Pickens County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Pickens County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by the School Trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the constructing and equipping of additional public school facilities in the school district.

(d) If any balance remain, it shall be held by the Treasurer of Pickens County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Powers of trustees.—The powers and authorization hereby conferred upon the School Trustees shall be in addition to all other powers and authorizations previously vested in the School Trustees.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R174, H1427)

No. 627

An Act To Authorize The Board Of Trustees of Pickens School District A To Borrow Fourteen Thousand Dollars For School Purposes From The Division Of Sinking Funds And Property, And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County School District A may borrow money.—The Board of Trustees of Pickens School District A may borrow for school purposes not exceeding fourteen thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board of trustees. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

SECTION 2. Payment.—For the payment of the note or notes, the Auditor of Pickens County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of Pickens County sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of Pickens County are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 3. Payment—further.—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have

not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R416, H1775)

No. 628

An Act To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1961, and ending June 30, 1962, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided*, the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and Bridges, Cross-county Roads, etc.:

A. Maintenance, Roads and Bridges and County
Farm\$230,000.00
Provided, that not more than \$35,000.00 of the
above sum shall be expended within the incor-
porated municipalities upon recommendation of
the Pickens County Municipal Association and

approval of a majority of the Legislative Delegation. *Provided*, further, that not to exceed \$40,000.00 of the above sum may be expended prior to July 1, 1961, upon the approval of a majority of the Legislative Delegation. *Provided*, further, that from the above sum an amount not to exceed \$5,000.00 shall be expended for purchase and installation of signs at road intersections. *Provided*, further, that when this appropriation is expended no additional funds will be available until July 1, 1962.

- B. New machinery to be purchased on prior written approval of a majority of the Pickens County Legislative Delegation 25,000.00

Total, Item 1\$255,000.00

Item 2. County Officers, Salaries and Expenses:

- A. Clerk of Court\$ 5,000.00
 A-1. Deputy Clerk of Court 3,201.45
 A-2. Clerk 2,934.75
 A-3. Assistant Clerk 2,400.00

Provided, that the Clerk of Court may designate the persons to fill the offices listed as A-1, A-2 and A-3 hereinabove and such designations shall be filed in writing with the Pickens County Board of Commissioners.

- B. Supervisor's Salary 5,000.00
Provided, the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.

- B-1. Clerk to Supervisor and County Commissioners 3,638.25
 B-2. Assistant Clerk 2,400.00
 C. Two County Commissioners 4,000.00
 D. Coroner 1,212.75
 E. County Attorney 880.00
 F. County Physician 880.00
 G. County Auditor 1,502.00

Provided, the salary of the County Auditor shall not exceed the sum of \$5,000.00.

G-1. Clerical Help for Auditor	2,400.00
G-2. Mileage for Auditor	350.00
H. County Treasurer	1,502.00
<i>Provided</i> , the salary of the County Treasurer shall not exceed the sum of \$5,000.00.	
<i>Provided</i> , further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.	
H-1. Clerical Help for Treasurer	2,910.60
H-2. Extra Clerical Help, October, November, December and January	660.00
<i>Provided</i> , that the above sum shall be spent upon written approval of a majority of the Delegation prior to asking additional assistance.	
I. County Sheriff	5,000.00
I-1. Eight Deputy Sheriffs	29,760.00
<i>Provided</i> , the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff.	
I-2. Travel expenses for Sheriff and Deputies	7,500.00
<i>Provided</i> , gasoline shall be furnished by the county.	
I-3. Maintenance of Automobiles—Sheriff's Department	5,000.00
<i>Provided</i> , two thousand dollars of the above amount, if so much be needed, shall be used for the purchase of a new automobile upon the prior approval of a majority of the Pickens County Legislative Delegation.	
I-4. Uniforms for Sheriff and Deputies	1,800.00
<i>Provided</i> , uniforms shall be purchased from the Pickens County firm offering the lowest bid price for the fiscal year with prior approval by the County Board of Commissioners.	
I-5. Six mill deputies, at fifty-five dollars per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may be able to perform within the limits of the compensation they shall receive hereinabove ...	3,960.00

I-6. Replacement of radio system for Sheriff's Department	2,500.00
<i>Provided</i> , that the above amount shall be spent on prior written approval of the Pickens County Legislative Delegation.	
I-7. Maintenance of Radio System for Sheriff's Department	500.00
J. Probate Judge	5,000.00
J-1. Clerical Help	2,400.00
K. Tax Collector	3,456.60
K-1. Clerical Help for Tax Collector	788.00
K-2. Mileage for Tax Collector	250.00
L. Service Officer	4,189.50
L-1. Secretary	2,400.00
L-2. Travel	200.00
M. County Jailer	3,300.00
N. Magistrates:	
N-1. Easley	2,756.25
N-2. Pickens	2,425.50
N-3. Liberty	1,984.50
N-4. Central	1,984.50
N-5. Six Mile	600.00
N-6. Magistrates' Constables, Salaries:	
(a) Liberty	553.35
(b) Central	386.40
(c) Easley	1,890.00
<i>Provided</i> , the Easley constable shall devote full time to the duties of this office.	
N-7. Magistrates' Constables—Fees and Mileage...	1,200.00
O. Caretaker, County Home	3,121.65
O-1. Travel, County Home Caretaker	150.00
<i>Provided</i> , County Home Caretaker shall receive seven cents per mile actually traveled in the scope of his employment to be paid by board of county commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.	
O-2. Cook for County Home	1,143.45
<hr/>	
Total, Item 2	\$137,071.50

Item 3. County Boards:

A.. Board of Equalization	\$ 500.00
B. Board of Registration	500.00

Total, Item 3

\$ 1,000.00

Item 4. Court Expenses, Jurors, Witnesses, Etc.:

A. Jurors and Witnesses	\$ 8,000.00
<i>Provided</i> , the Clerk of Court shall select not more than three qualified bailiffs to be in attendance at terms of Court of General Sessions and Common Pleas.	
B. Expense, Stenographer, 13th Judicial Circuit..	310.00
B-1. Travel Expense, Solicitor, 13th Judicial Circuit	310.00
B-2. Expense, Secretary to Resident Judge	310.00
C. Post Mortems, Inquests and Lunacies	500.00
D. Jurors for Coroner's Inquests	50.00
E. Stenographer at Inquests	150.00

Total, Item 4

\$ 9,630.00

Item 5. County Home and Feeding Prisoners:

A. County Jail	\$ 5,000.00
B. County Home	6,000.00
C. Transporting Prisoners	400.00

Total, Item 5

\$ 11,400.00

Item 6. Public Buildings:

A. Water, Lights and Insurance	\$ 4,000.00
<i>Provided</i> , insurance against liability by reason of explosion of boilers in the various county buildings and insurance against liability on county vehicles shall be purchased.	
B. Telephone and Telegraph	5,000.00
C. Fuel	2,500.00
D. Janitor Service & Supplies	2,680.00

Provided, the Board of Commissioners shall employ such person or persons as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.

E. Printing, Postage and Stationery	10,000.00
F. Repairs on Public Building	1,000.00
Total, Item 6	\$ 25,180.00
Item 7. Miscellaenous:	
A. Bond Premium, County Officers	\$ 850.00
B. County Library	14,000.00
<i>Provided</i> , that \$200.00 of the above sum is appropriated for a library staff intern employee.	
<i>Provided</i> , further, that \$2,000.00 of this appropriation shall be expended for the purchase of books to be distributed throughout the branches of the Pickens County Library.	
C. Compensation insurance premium, employee other than elective	2,500.00
D. Annual Audit of County Books	1,800.00
E. Contingent Fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation	7,000.00
<i>Provided</i> , the Pickens County Rabies Control program shall be paid from this item. <i>Provided</i> , further, that said program is under the supervision of the Pickens County Board of Health.	
F. County's part, Employees Retirement Fund ...	12,000.00
G. Mileage, Pickens County Fire Control Wardens (3 @ \$30.00 per month each)	1,080.00
H. Adult Education Program	2,000.00
<i>Provided</i> , that such program shall be approved by the Pickens County Legislative Delegation.	
I. Maintenance of Watershed Projects	750.00
Total, Item 7	\$ 41,980.00
Item 8. Farm Demonstration:	
A. 4-H Club, Boys	\$ 200.00
B. 4-H Club, Girls	200.00
C. F.F.A.	200.00
D. Supplies for Home Agent	100.00
E. Clerical Help for County Agent's Office	500.00
F. Supplement to Salary of County Farm Agent ..	350.00
G. Supplement to Salary of Assistant County Farm Agent	250.00

G-1. Supplement to Salary of Assistant County Farm Agent		250.00
H. Supplement to Salary of County Home Demonstration Agent		250.00
I. Supplement to Salary of Assistant County Home Demonstration Agent		250.00
<i>Provided</i> , that the sums appropriated in sub-items F, G, G-1, H and I shall be paid in equal quarterly payments.		
Total, Item 8		\$ 2,550.00
Item 9. Pickens County Department of Public Welfare:		
A. Emergency Relief (to prospective clients) ..		\$ 3,000.00
B. Child Welfare (Mileage)		920.00
C. Foster Board Care		800.00
D. Special Services (Lunches for Child Welfare and other clients when taken out of county on all-day trips)		200.00
E. Pickens County Board of Public Welfare, at two hundred dollars per annum per member		600.00
<i>Provided</i> , that the amount in Item 9 A hereinabove shall be spent in accordance with written regulations promulgated by the Pickens County Board of Public Welfare.		
Total, Item 9		\$ 5,520.00
Item 10. Pickens County Health Department:		
A. Burial of Paupers		\$ 300.00
B. Pickens County Health Unit		12,213.25
<i>Provided</i> , that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the County Health Unit, shall be in accordance with a budget filed with and approved in advance of such expenditures by a majority of the Pickens County Legislative Delegation.		
D. Mental Health Clinic		
<i>Provided</i> , that an appropriate amount upon approval by a majority of the Pickens County Legislative Delegation may be expended for Pickens County participation in a Regional		

Mental Health Program if such a program is instituted and gains the approval of the South Carolina Mental Health Commission.

Total, Item 10\$ 12,513.25

Item 11. National Defense:

A. Easley Unit\$ 1,100.00

B. Clemson Unit 300.00

C. Civil Defense 2,400.00

Provided, that the above amount shall be expended only on the approval of a majority of the County Legislative Delegation.

Total, Item 11\$ 3,800.00

Item 12. County Cooperative Breeding Association ...\$ 1,800.00

Provided, that not to exceed one hundred and fifty dollars per month shall be paid from this appropriation by the county treasurer on an itemized statement of the officers of the association.

Total, Item 12\$ 1,800.00

Item 13. Pickens County Charity Hospital Funds\$ 35,000.00

Provided, that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the County Board of Commissioners. *Provided*, further, that the above sum shall be regulated, supervised and administered by the Pickens County Board of Public Welfare. *Provided*, further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended.

Provided, further, that any funds withheld from Pickens County by the State of South Carolina for charity hospitalization shall be reimbursed by an equal amount from this appropriation to the general fund of Pickens County.

Total, Item 13\$ 35,000.00

GRAND TOTAL\$542,444.75

Less Estimated Revenues—Other than Taxes:

Magistrates—Fines and Fees	\$ 50,000.00
From the Probate Judge	1,000.00
From the Clerk of Court	30,000.00
From the County Supervisor	10,000.00
From the Sheriff	1,000.00
From the Tax Collector	15,000.00
From the Wine and Beer Tax	9,000.00
Liquor Tax	35,000.00
Gas Tax	150,000.00
Income Tax	35,000.00
From Insurance License Fees	20,000.00
Tax from Banks	5,000.00
State Contribution for Service Officer	4,500.00
Total	<u>\$365,500.00</u>

Total amount to be raised by taxes\$176,944.75

SECTION 2. The county board of commissioners is hereby authorized and directed to publish quarterly statements in the three Pickens County newspapers. They shall publish only the amount appropriated and the unexpended balance of each item.

SECTION 3. No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties.

SECTION 4. Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Legislative Delegation, and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1961-62.

SECTION 5. The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby

authorized and empowered to increase the general levy above provided to meet the appropriations made.

SECTION 6. There is hereby levied four mills for interest and a sinking fund on county bonds.

SECTION 7. Magistrates' constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships. The duties of magistrates' constables at Pickens and Six Mile shall be performed by the sheriff and his deputies.

SECTION 8. The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

SECTION 9. The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each member of the County Board of Education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

SECTION 10. Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in writing by a majority of the legislative delegation, and filed with the County Board of Commissioners.

SECTION 11. All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and

thereby avoid violation of Section 14-315, Code of Laws of South Carolina, 1952.

SECTION 12. A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

SECTION 13. The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations, to the magistrate or circuit court having jurisdiction of the cases involving these persons.

SECTION 14. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. No salary shall be paid under the provisions of this act until such employee, as affected, shall have complied with all requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

SECTION 16. The following salary schedule shall be followed with reference to full time clerical help who are employed under the provisions of this act:

Probationary salary for first six months, \$165.00 per month

Salary for next successive 12 months, \$2,180.00

Salary at end of 18 months, \$2,400.00

Having reached the salary of \$2,400.00 such employees shall participate in the normal raises given other employees under the provisions of the county appropriations act. However, a full year shall elapse before a raise is given above \$2,400.00.

SECTION 17. All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R584, H1776)

No. 629

An Act To Provide For A Referendum In Pickens County To Determine Whether Or Not The Office Of Superintendent Of Education Shall Be Retained, And To Provide For A Special Election For The Office Of Superintendent Of Education In The Event That a Majority Of The Qualified Electors Voting In The Referendum Favor Retention Of The Office.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County—referendum concerning retention of superintendent of education.—A referendum shall be held in Pickens County on the fourth Tuesday in May, 1961, at which time the question of whether or not the office of superintendent of education in Pickens County shall be retained shall be presented to the qualified electors. The question to be presented shall be printed on the ballots as follows :

“Do you favor retaining the office of superintendent of education in Pickens County?

YES

NO”

The commissioners of election of Pickens County shall have charge of holding the referendum and shall appoint box managers and other election officials authorized by law for general elections. The polls shall be open from 8 A. M. until 6 P. M. Notice of the referendum shall be published in a newspaper of general circulation in Pickens County for once a week for two weeks immediately preceding the referendum.

The commissioners of election shall count the ballots and announce the result to the public at the earliest practicable time after the closing of the polls. The expenses of the referendum shall be paid from the

General Fund of Pickens County and shall be paid on warrants signed by the chairman of the board of election commissioners.

SECTION 2. Superintendent to be elected if voters favor it.

—In the event that a majority of the qualified electors voting in the referendum shall vote in favor of retaining the office of superintendent of education, an election to fill the office, the term of which shall begin July 1, 1961, shall be held on the fourth Tuesday in June, 1961. The election shall be held by the commissioners of election of Pickens County who shall appoint box managers and other election officials as authorized by law for general elections. Notice of the election shall be published in a newspaper of general circulation in Pickens County once a week for three weeks prior to the fourth Tuesday in June.

Candidates for the office of superintendent shall file with the Clerk of Court of Pickens County and the closing date shall be midnight, June 6, 1961. The entrance fee for candidates shall be one hundred and fifty dollars.

The commissioners of election shall count the ballots and announce the result. The expenses of the election shall be paid from the General Fund of Pickens County and shall be paid on warrants signed by the chairman of the board of election commissioners.

SECTION 3. When polls to be open.—All voting precincts of Pickens County shall be open to the qualified electors for the referendum provided for in Section 1 of this act and the election provided for in Section 2. Polls will be open in the case of the election between 8 A. M. and 6 P. M., as provided in Section 1 for the referendum.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

An Act To Authorize The State Highway Department To Construct A Road In Pickens County And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may construct road in Pickens County.—The State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Pickens County extending from secondary road S 39-221 approximately one mile east of its intersection with Route 135 north of Easley, southerly to the intersection of Blue Ridge Drive and Front Street at Glenwood Mill Village, a distance of approximately one-half mile.

SECTION 2. Cost of.—The cost of constructing the road provided for by this act shall be charged to the secondary highway funds accruing to Pickens County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R643, H1956)

No. 631

An Act To Create The Oolenoy River Watershed Conservation District In Pickens County; To Provide For The Election Of Its Directors And To Define Their Powers And Duties; To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oolenoy Watershed Conservation District may be formed in Pickens County.—Authority is hereby granted to form the Oolenoy River Watershed Conservation District in Pickens County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

SECTION 2. Area.—The area embraced in the district must be contiguous and drain naturally into Oolenoy River. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

SECTION 3. Petition for formation.—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the Pickens Soil Conservation District. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

SECTION 4. Hearing on petition.—(a) Within thirty days after the petition has been filed with the board of supervisors of the Pickens Soil Conservation District, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the board of supervisors of the Pickens Soil Conservation District may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the Pickens Soil Conservation District determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the

territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the Pickens Soil Conservation District determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

SECTION 5. Referendum.—After the board of supervisors of the Pickens Soil Conservation District has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors of the Pickens Soil Conservation District in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board of supervisors of the Pickens Soil Conservation District shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the General Fund of Pickens County.

SECTION 6. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Oolenoy River Watershed Conservation District”

“Against the creation of the Oolenoy River Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by the supervisors of the Pickens Soil Conservation District, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors of the Pickens Soil Conservation District.

SECTION 7. Results—district to be created if results and determinations favorable.—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of the supervisors of the Pickens Soil Conservation District. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Pickens County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute

a governmental subdivision of this State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 8. Board of directors to govern district—nominating petitions—election—ballots—terms—officers—bond of treasurer.

—(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the Pickens Soil Conservation District to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the Pickens Soil Conservation District in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the Pickens Soil Conservation District shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected direc-

tors of the watershed conservation district. The five elected directors shall, under the supervision of the board of supervisors of the Pickens Soil Conservation District, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

SECTION 9. District to be corporate body—powers and duties.

—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors of the Pickens Soil Conservation District, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Chapter 2 of Title 25, Code of Laws of South Carolina, 1952, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district. *Provided*, however, there shall be no rights of eminent domain unless at least ninety per cent of the required easements, rights-of-way and permits for any one flood water retarding structure or unit of structures or unit of stream channel improvements have been acquired by the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the Pickens Soil Conservation District, by notifying the county auditor.

SECTION 10. Bonds not to be issued unless referendum held.

—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the Pickens Soil Conservation District.

(b) The board of supervisors of the Pickens Soil Conservation District shall hold a hearing on such proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

SECTION 11. Compensation.—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the Pickens Soil Conservation District.

SECTION 12. Budget—tax levy.—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Pickens County.

SECTION 13. List of landowners and acres subject to assessment.—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

SECTION 14. Collection of taxes.—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

SECTION 15. Expenditures.—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All

expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the Pickens Soil Conservation District.

SECTION 16. Petition to have lands detached.—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the board of supervisors of the Pickens Soil Conservation District to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors of the Pickens Soil Conservation District. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the Pickens Soil Conservation District asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the Oolenoy River Watershed Conservation District" and "Against terminating the existence of the Oolenoy River Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district.

All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

SECTION 18. Supervisory authority if district discontinued.—

If the Pickens Soil Conservation District in which the watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such Pickens Soil Conservation District shall thereafter be exercised by the governing body of Pickens County.

SECTION 19. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R5, H1029)

No. 632

An Act To Authorize The Trustees Of Richland County School District No. 2 And The Treasurer Of Richland County To Borrow Not Exceeding Eighty Thousand Dollars For School Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County School District 2 may borrow money.—The Board of Trustees of School District No. 2 of Richland County, and the Treasurer of Richland County, are hereby authorized to borrow not exceeding eighty thousand dollars from the State Sinking Fund for school purposes. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the Board of Trustees of School District No. 2 of Richland County, and the Treasurer of Richland County. The note or notes shall bear interest at four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal annual installments, with the right to anticipate payment thereof at any annual interest-bearing period.

SECTION 2. Payment.—For the payment of the note or notes, the Board of Trustees of School District No. 2 and the Treasurer of Richland County shall apply all funds available from the State Educational Finance Commission.

SECTION 3. Payment—further.—As additional security for the loan, in the event the annual grant to the school district by the Educational Finance Commission be insufficient to pay the principal and interest on the loan, the Auditor of Richland County shall levy, and the Treasurer of Richland County shall collect, an annual tax on all the taxable property of School District No. 2 of Richland County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided

herein shall be terminated. The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of January, 1961.

(R6, H1030)

No. 633

An Act To Authorize And Empower The Board Of Trustees Of School District No. 2 Of Richland County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District For The Purposes Enumerated In This Act, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that the continued growth of the population in School District No. 2 of Richland County makes it mandatory that additional public school facilities be provided for the district, and that the cost, to be borne by the district, should be raised by an issue of general obligation bonds. The General Assembly has, therefore, determined to empower the Board of Trustees of School District No. 2 of Richland County, the State of South Carolina (hereinafter called "the School Trustees") to provide additional public school facilities for the district and raise therefor the sum of two hundred fifty thousand dollars through the sale of the bonds authorized by this act.

SECTION 2. Richland County School District 2 may issue bonds.—The School Trustees are hereby authorized and empowered to issue general obligation bonds of School District No. 2 of Richland County, the State of South Carolina, in the aggregate principal amount of not exceeding two hundred fifty thousand dollars

and to apply the proceeds of such bonds to the purposes prescribed by this act.

SECTION 3. Maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the School Trustees shall provide for, except that the first maturing bonds of any issue shall mature not later than three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in any year; and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

SECTION 4. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the School Trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Richland County, upon such conditions as the School Trustees may prescribe. Except when so registered, all bonds issued pursuant to this act, shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 6. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the School Trustees shall prescribe.

SECTION 7. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the School Trustees.

SECTION 8. Execution.—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the School Trustees shall by resolution prescribe.

SECTION 9. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They may be sold at public or private sale, but if sold at public sale, they shall be sold after public advertisement of

the sale in a newspaper of general circulation in South Carolina. In such event the published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 10. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 2 of Richland County, the State of South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Exempt from taxes.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 12. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County, to be deposited in a Bond Account Fund for the School District, and shall be expended and made use of by the School Trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to pay costs to be incurred in the constructing and equipping of additional public school facilities in the School District.

(d) If any balance remains, it shall be held by the Treasurer of Richland County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 13. Powers of board.—The powers and authorizations hereby conferred upon the School Trustees shall be in addition to all other powers and authorizations previously vested in the School Trustees.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1961.

(R103, H1255)

No. 634

An Act To Amend Act No. 1114 Of 1960 Relating To The Jackson-Gills Creek Public Service District In Richland County, So As To Further Provide For A Subsequent Term Of One Of The Members Of The Commission And To Correct A Reference.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 1114 of 1960 amended—term of certain commissioner changed.—Section 3 of Act No. 1114 of 1960 is amended by adding at the end thereof the following: “*Provided*, that the successor of one of the commissioners initially appointed to serve a term of two years shall be appointed to serve a term of four years for the second term only.”

SECTION 2. Section 6 of Act 1114 of 1960 amended—election on issuance of bonds—question—conduct of.—Section 6 of Act No. 1114 of 1960 is amended by striking on lines 5 and 6 the following: “authorized by Section 3, *supra*, of this section” and inserting in lieu thereof “Section 4 of this act” so that when so amended the section shall read as follows:

“Section 6. The Commission is empowered to make provision for the holding of a special election in the District, on a date to be fixed by the Commission, at which time there shall be submitted to the qualified electors of the District the question of issuing general obligation bonds of the District for the purposes of Section 4 of this act. The election shall be conducted by the Commissioners of Election for Richland County, who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the District, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be con-

ducted in each of the several precincts of the District as the same are now established by law, and at the regular voting place therein, if such be within the District; otherwise, the Commissioners of Election shall designate a suitable voting place within such precinct. The question submitted shall be substantially in the following form:

‘SHALL THE JACKSON-GILLS CREEK PUBLIC SERVICE DISTRICT ISSUE GENERAL OBLIGATION BONDS IN A SUM NOT EXCEEDING THREE MILLION DOLLARS, WHOSE PROCEEDS SHALL BE USED FOR SEWAGE DISPOSAL FACILITIES FOR THE DISTRICT?’

YES

NO’

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word ‘NO,’ and that if he is opposed to the issuance of bonds, he shall erase or strike through the word ‘YES.’ The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Richland County, who shall declare the result of the election. If the Commissioners of Election determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 5, supra, of this act. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

An Act To Authorize The Board Of Trustees Of Columbia Hospital Of Richland County And The Treasurer Of Richland County To Borrow One Hundred Ninety Thousand Dollars For Hospital Purposes, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Columbia Hospital may borrow money.—The Board of Trustees of Columbia Hospital of Richland County and the Treasurer of Richland County are hereby authorized to borrow for hospital purposes not exceeding one hundred ninety thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board of trustees and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments.

SECTION 2. Payment.—For the payment of the note or notes, the Board of Trustees of Columbia Hospital and the Treasurer of Richland County shall apply such funds as may be available from the operating revenues of the hospital.

SECTION 3. Payment—further.—As additional security for the loan, in the event the funds available from the operating revenues of the hospital be insufficient to pay the principal and interest on the loan, the Auditor of Richland County shall levy and the Treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 4. Borrower may anticipate payments.—The privilege to anticipate the payment in part or in full is reserved to the borrower.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1961.

(R128, H1333)

No. 636**An Act To Authorize The Board of Commissioners of Richland County To Sell Certain Property On Lady Street Formerly Used As The Health Center; And To Provide For The Terms Of The Sale.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may sell certain property.—The Board of Commissioners of Richland County, with the approval of the Senator and a majority of the members of the House of Representatives from the county, is authorized to sell, transfer and convey under the terms and conditions hereinafter set forth the following described property :

All that certain piece, parcel or lot of land with the improvements thereon situate, lying and being on the northern side of Lady Street, between Sumter and Marion Streets, in the City of Columbia, in the County of Richland and State of South Carolina; bounded on the north by lot now or formerly of Emmie McConnell Moore, whereon it measures fifty-one feet; on the east by lot now or formerly of Emmie McConnell Moore, whereon it measures one hundred and fifty feet; on the south by Lady Street, whereon it measures fifty-one feet; and on the west by lot now or formerly of Roddey Motor Company, whereon it measures one hundred and fifty feet; as is shown on a plat of the same prepared by Tomlinson Engineering Company on June 10, 1941, and being the identical premises conveyed to Richland County on June 13, 1941, by deed of Emmie McConnell Moore, which deed is recorded in the Clerk's office for Richland County in Deed Book FA at page 240.

SECTION 2. Bids.—The board of commissioners shall advertise for sealed bids on the above described property and it, with a majority of the Richland County Legislative Delegation including the Senator, shall reserve the right to reject any and all bids, and approve the terms of the sale.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R129, H1334)

No. 637**An Act To Authorize The Board of Commissioners Of Richland County To Sell Certain Property Near The Veterans' Hospital And To Provide For The Terms Of The Sale.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may sell certain property.—The Board of Commissioners of Richland County, with the approval of the Senator and a majority of the members of the House of Representatives from the county, is authorized to sell, transfer and convey under the terms and conditions hereinafter set forth the following described property :

PARCEL A

All that certain piece, parcel or tract of land situate, lying and being in School District No. 5, in the County of Richland, State of South Carolina, on the Eastern side of Benjamin Road, about one (1) mile East of the City of Columbia, a pentagon in shape, containing thirty-five (35) acres, and being more particularly shown and delineated as Tract "A" on a plat of the property of Veterans Administration near Columbia, S. C. prepared by B. P. Barber and Associates, Engineers, March 1958, as follows, to wit: Commencing at a stone on the Western side of Benjamin Road, being the Northwestern corner of said tract of land and twelve hundred four and one-hundredths (1204.01') feet from the corner of U. S. Highway No. 76; thence turning and extending therefrom South 39 degrees 07 minutes East thirty-three hundred and thirteen (3313') feet, along lands of Veterans Administration, to a stone which is fourteen hundred and forty and 35/100 (1440.35') feet from the corner on U. S. Highway No. 76; thence turning and extending therefrom South 31 degrees 0 minutes West four hundred eighty-six and 39/100 (486.39') feet, along lands of Meadofield Subdivision, to an iron; thence turning and extending therefrom North 39 degrees 07 minutes West thirty-two hundred ninety-seven and 97/100 (3297.97') feet, along Tract "B", as shown on said plat, to an iron; thence turning and extending therefrom North 9 degrees 06 minutes East one hundred forty-eight and 89/100 (148.89') feet, along the Eastern side of Benjamin Road to a stone; thence turning and extending therefrom North 37 degrees 41 minutes East three hundred fifty-five and 77/100 (355.77') feet, along the Eastern side of Benjamin Road to the point of beginning.

SECTION 2. Bids.—The Board of Commissioners shall advertise for sealed bids on the above described property and it, with a majority of the Richland County Legislative Delegation including the Senator, shall reserve the right to reject any and all bids and approve the terms of sale.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of March, 1961.

(R160, H1427)

No. 638

An Act To Authorize The Richland County Board Of Commissioners To Purchase A Certain Parcel Of Land In The City Of Columbia.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County to purchase property.—The Richland County Board of Commissioners is hereby authorized and directed to purchase for the county for a sum not exceeding ninety thousand dollars the following :

“All that lot or parcel of land, with the buildings and improvements thereon if any, situate on the southern side of Washington Street, between Bull and Pickens Streets, measuring on the north 75.6 feet, east 208 feet, south 84 feet, thence northward 69.3 feet, thence eastward 9 feet, thence northward 140 feet to point of commencement, all measurements being more or less and known as 1508 Washington Street.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R162, H1431)

No. 639**An Act To Redefine The Area Of Center Township In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Center Township in Richland County defined.—
Center Township in Richland County is described as follows:

“Beginning at a point where School District No. 1 intersects the Seaboard Airline Railroad at Formosa Drive; thence following the Seaboard Airline Railroad to the Kershaw County line; thence turning and running in a southeasterly direction along the county line to the Wateree River; thence turning south and following the Wateree River to U. S. Highway No. 76; thence turning and running along U. S. Highway No. 76 in a westerly direction to the School District No. 1 line to a stone marker at the U. S. Veterans Hospital; thence turning in a southwesterly direction and running along the line of School District No. 1 to its intersection with Shop Road at Aster Street; thence turning north and running along the present Waverly-Olympia magisterial line to a point where it intersects with the Columbia City limits; thence turning right and running along the Columbia City limits line to Fort Jackson; thence turning and running southeast along the boundary of Fort Jackson to a point of intersection with the southeastern corner of School District No. 1; thence turning northward and running along the line of School District No. 1 to the point of beginning.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R229, H1596)

No. 640**An Act To Amend Act No. 1000 Of 1928, As Amended, Relating To The Columbia Township Auditorium, So As To Provide**

For The Terms, Qualifications And Powers Of The Trustees Of The Auditorium.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1000 of 1928 amended—Columbia Township Auditorium Trustees—members—elections—terms.—Section 1 of Act No. 1000 of 1928, as amended, is further amended to read as follows:

“Section 1. (a) There is hereby created and established a board of trustees who shall provide, under the terms of this act, for the erection, maintenance and equipment of a central auditorium for the use of the people of Columbia Township and Richland County, which shall be known as the Columbia Township Auditorium.

(b) The board of trustees shall consist of five members who shall be residents of Richland County, State of South Carolina, and who shall be elected by a majority of the Richland County Legislative Delegation, including the Senator, whose terms shall run for a period of five years, the term of one member expiring on June thirtieth of each year or until his successor is elected and qualifies.

(c) The present members of the board of trustees shall provide by lot for the expiration of their terms so that the term of one member shall expire on June 30, 1961, the term of another on June 30, 1962, the term of another on June 30, 1963, the term of another on June 30, 1964 and the term of another on June 30, 1965, or until their successors are elected and qualify.”

SECTION 2. Section 2 of Act 1000 of 1928 amended—officers—powers and duties—quorum.—Section 2 of Act No. 1000 of 1928 is amended to read as follows:

“Section 2. (a) The board of trustees shall each year elect from among their members a chairman and a treasurer.

(b) The board of trustees shall have the power to make appropriate rules and regulations for the maintenance, control, conduct and use of the Columbia Township Auditorium, and they shall have the power to employ a manager and such other personnel as may be necessary for the performance of their duties. The board shall also have the power to do any and all other things necessary to carry out the provisions and intent of this act.

(c) A majority of the board of trustees shall constitute a quorum competent to transact the business of the board.”

SECTION 3. Section 3 of Act 1000 of 1928 amended—powers and duties—further.—Section 3 of Act No. 1000 of 1928 is amended to read as follows:

“Section 3. The board of Trustees of Columbia Township Auditorium shall have the power to purchase land and acquire title thereto in its own name, its successors and assigns, for the purpose set out in this act, and shall have the power to do all things which are necessary for the erection, equipment and maintenance of a building which shall serve as a meeting place for all public meetings, educational rallies, philanthropic, charitable, and community betterment assemblies in Richland County, and shall have the power to rent the facilities of the auditorium to private persons so as to provide a place of entertainment and education for the citizens of Richland County.”

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R231, H1595)

No. 641

An Act To Authorize The School Commissioners Of School District No. 1, Richland County, To Issue Not Exceeding One and One-Half Million Dollars Of General Obligation Bonds Of School District No. 1, Richland County; To Prescribe The Conditions Under Which Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that School District No. 1, Richland County, has a need for further school facilities in order to accommodate the increasing number of pupils attending the public school system in the school district. It has therefore determined to authorize the School Commissioners of School District No. 1, Richland County (herein called the

“Commissioners”), to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one and one-half million dollars.

SECTION 2. Additional school facilities may be acquired.—The Commissioners are hereby empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds available to the Commissioners, and to that end, shall be empowered to construct and equip new school buildings, to improve and enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized—use of proceeds.—In order to obtain funds for the purposes above set forth, the Commissioners are hereby authorized and empowered to issue not exceeding one and one-half million dollars of general obligation bonds of School District No. 1, Richland County. The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County, to be deposited in a Bond Account Fund for School District No. 1, Richland County, and shall be expended and made use of by the Commissioners as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds and to acquire further school facilities as provided therein.

SECTION 4. Issues—maturity—redemption—interest—dates.—

The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the Commissioners, provided that no bonds authorized by this act shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the Commissioners, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear, and the first maturity date may be postponed not more than three

years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Commissioners, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the Commissioners may determine, payable on such occasions as the Commissioners shall determine. The bonds shall bear interest in such manner as shall be determined by the Commissioners, but the average rate of interest for any bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of School District No. 1, Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Commissioners may prescribe. They shall bear such date or dates and be payable at such places as the Commissioners may likewise prescribe.

SECTION 5. Execution.—The bonds and interest coupons thereto attached shall be executed in such manner as the Commissioners shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the Commissioners at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Act No. 730, Acts of 1952.

SECTION 8. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 1, Richland County, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 9. Powers of Commission.—Any action required by the Commissioners may be taken at any meeting of the Commissioners, regular or special, and at such meeting a majority of the members of the Commission shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the Commissioners by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R240, H1605)

No. 642

An Act To Amend Section 2 Of An Act Of 1961 Bearing Ratification No. 129 Authorizing The Board Of Commissioners Of Richland County To Sell Certain Property Near The Veterans' Hospital, So As To Further Provide For The Terms Of Its Sale.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 637 of 1961 amended—bids—sale—payment.—Section 2 of an act of 1961 bearing Ratification No. 129 is amended by adding the following at the end thereof: "The property may be sold for cash or partly for cash with the remainder of the purchase price to be represented by a note secured by a purchase money mortgage with the right of the mortgagor to have portions of the property released from the mortgage upon payment of a stipulated sum. The terms of the note and the amount of the down payment shall be determined by the Board of Commissioners with the approval of a majority of the legislative delegation including the Senator." The section when amended shall read as follows:

"Section 2. The Board of Commissioners shall advertise for sealed bids on the above described property and it, with a majority of the Richland County Legislative Delegation including the Senator, shall reserve the right to reject any and all bids and approve the terms

of sale. The property may be sold for cash or partly for cash with the remainder of the purchase price to be represented by a note secured by a purchase money mortgage with the right of the mortgagor to have portions of the property released from the mortgage upon payment of a stipulated sum. The terms of the note and the amount of the down payment shall be determined by the Board of Commissioners with the approval of a majority of the legislative delegation including the Senator."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of April, 1961.

(R378, H1745)

No. 643

An Act To Authorize The Treasurer Of Richland County To Borrow Not To Exceed Two Hundred Twenty-Five Thousand Dollars And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Richland County may borrow money.—The Treasurer of Richland County is authorized to borrow not exceeding two hundred twenty-five thousand dollars to defray the costs of capital improvements of the county. The amount borrowed shall be evidenced by notes to be executed by the chairman of the governing body of the county and the county treasurer and shall be paid within a period not exceeding ten years. The notes shall bear such rate of interest as may be agreed upon between the treasurer, the chairman of the governing body of the county and the lender. The necessary amount of the surplus funds accruing annually to the county shall be applied to the payment of the principal and interest on the notes given to secure the loan as they become due. In the event that the surplus funds accruing to the county are not sufficient to pay the principal and interest on the notes as they become due, the auditor of the county shall levy and the treasurer of the county shall collect a tax sufficient to pay the amount due on any note authorized by this act. In addition to the foregoing security

the full faith, credit and taxing power of Richland County are irrevocably pledged to secure the loan.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R438, S375)

No. 644

An Act To Authorize The Board Of Trustees Of Columbia Township Auditorium In Richland County To Borrow Sixty Thousand Dollars For The Purpose Of Air Conditioning The Auditorium, And To Provide For The Payment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Columbia Township Auditorium may borrow money.—The Board of Trustees of Columbia Township Auditorium in Richland County is hereby authorized to borrow for the purpose of air conditioning the auditorium not exceeding sixty thousand dollars from any available funds of Richland County. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman and treasurer of the board of trustees. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in six successive, equal annual instalments.

SECTION 2. Payment.—For the payment of the note or notes, the Board of Trustees of Columbia Township Auditorium shall apply such funds as may be available from the operating revenues of the auditorium.

SECTION 3. Payment—further.—As additional security for the loan, in the event the funds available from the operating revenues of the auditorium be insufficient to pay the principal and interest on the loan, the Auditor of Richland County shall levy and the Treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon and the entire

proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

SECTION 4. Payment may be made in advance.—The privilege to anticipate the payment in part or in full is reserved to the borrower.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of May, 1961.

(R553, H1917)

No. 645

An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1961-1962 And To Direct The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied a tax of nine and one-half mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all additional sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth. *Provided*, that the Richland County Treasurer is hereby authorized and directed to transfer any surplus exceeding twenty-five thousand dollars in the General Funds of Richland County as of June 30, 1961, to the various countywide Bond Accounts of the county and the Richland County Treasurer and Auditor are hereby authorized and directed to reduce the levies of those bond accounts in proportion to the amounts transferred to the bond accounts. *Provided*, further, that all salaries herein appropriated shall be paid in biweekly installments and the total of such items, other than salaries, shall be expended only if such be necessary. *Provided*, further, however, that implements and supplies of whatever kind to be purchased or sold under the

terms of this act shall be purchased or sold only upon competitive bids each quarter after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Richland County, which advertisements shall set forth the articles and the approximate amount, quantity, measure and number thereof to be purchased or sold, and the contract of purchase or sale shall be awarded to the lowest responsible bidder for the period of one quarter. *Provided*, further, that in case of actual emergency, but in no other event, the supervisor may purchase without competitive bids, where the cost thereof does not exceed five hundred dollars, and under no circumstances shall purchases be divided in order to come within this limitation. *Provided*, further, that no bill, account or claim against the county shall be paid unless contracted for under such competition or purchased by the supervisor in the above-mentioned case of actual emergency and unless the claims be filed for audit within thirty days from the time a cause of action arises. *Provided*, further, that no official or board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriations made for his or its specific office or department. It shall be a criminal offense for any official or board to overdraw his or its appropriations, knowing in advance that such has been used.

ITEM 1. ADMINISTRATIVE DEPARTMENT

(A) 1. AUDITOR'S OFFICE

Salary, Auditor	\$ 4,407.00
Travel and Official Expenses, Auditor	430.00
Salary, Deputy Auditor	4,166.12
Travel and Official Expense, Deputy Auditor	430.00
Salary, Deputy Auditor	4,166.12
Travel and Official Expense, Deputy Auditor	430.00
Salary, Assistant Deputy Auditor	3,533.41
Salary, Clerk	3,533.41
Salary, Clerk	3,533.41
Salary, Clerk	3,505.86
Salary, Clerk	3,307.41
Extra Clerk Hire, if so much be necessary, at discretion of the Auditor	7,000.00

 38,442.74

(B) TREASURER'S OFFICE

Salary, Treasurer	4,407.00
Travel and official expense, Treasurer	430.00

Salary, Deputy Treasurer	4,166.13
Official expense, Deputy Treasurer	430.00
Salary, Chief Cashier	3,950.43
Salary, Fee Cashier	3,586.41
Salary, Cashier	3,724.21
Salary, Cashier	3,724.21
Extra Clerk Hire, if so much be necessary ..	3,500.00
Bank Charges	300.00
Bond Premium to cover employees who handle money, if so much be necessary	500.00
Accounting Equipment	8,912.47

 37,630.86

Provided, however, if the State fails to pay Auditor and Treasurer a portion of their salary, then such amount is hereby appropriated as to bring their respective salaries up to \$7,905.00 and no more.

(C) CLERK OF COURT'S OFFICE

Salary, Clerk of Court	7,905.00
Travel and official expense, Clerk of Court ..	430.00
Salary, Deputy Clerk of Court	4,547.73
Official expense, Deputy Clerk of Court	430.00
Salary, Court Deputy	4,166.13
Official expense, Court Deputy	430.00
Salary, Court Deputy	4,136.45
Official expense, Court Deputy	430.00
Salary, Record Clerk	3,759.63
Salary, Chattel Clerk	3,533.41
Salary, Clerk	3,505.86
Salary, Clerk	3,418.93
Salary, Clerk	3,418.93
Salary, Clerk	3,158.27
Extra Clerk Hire	600.00
Repairing of books, if so much be necessary ..	500.00
Purchase of 2 double roller shelf sections ...	564.82
Purchase of 6 four drawer legal files with locks	784.14
Purchase of double face slope desk	1,390.60

 47,109.90

(D) I. SUPERVISOR'S OFFICE

Salary, Supervisor	7,905.00
Travel and Official Expense, Supervisor	430.00
Salary, Deputy Supervisor and County Engineer	5,560.51
Travel and Official Expense, Deputy Supervisor and County Engineer	430.00
Salary, Assistant County Engineer	4,000.00
Travel and official expense, Assistant County Engineer	430.00
Salary, Clerk of Board	4,846.81
Salary, Assistant Clerk of Board	4,131.06
Seven Commissioners at \$185.50 per month each	15,582.00
Official Travel Expenses, Commissioners at \$50.00 per month each	4,200.00
For Advertising, if so much be necessary	500.00
Stamps for all county offices, if so much be necessary	6,000.00
Stationery and supplies for all county offices	43,000.00
Officers' bonds	1,650.00
Auditing county records	5,000.00
Salary, County Attorney	4,064.04
State Fund, premium for period through September 30, 1962, if so much be necessary	5,278.40
Extra Clerk Hire	1,000.00
	<hr/>
	114,007.82

Provided, that the compensation so fixed for the County Attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and the County Attorney may charge any board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided*, further, that the County Attorney may not use the services of any attorney on the delegation for abstracting the title to real estate or handling bond issues for any board or agency of Richland County. *Provided*, fur-

ther, that the Richland County Board of Commissioners shall meet once every two weeks in the office of the County Supervisor at the call of the County Supervisor. *Provided*, that the audit for the Columbia Hospital, Richland County Health Department, the Richland County Public Library and Richland County Teachers' Retirement Fund shall be made by the same firm that is selected annually to audit the books and records of Richland County. *Provided*, that the total cost shall not exceed five thousand dollars, including the amount appropriated for auditing county records. *Provided*, further, that eight hundred dollars of the total cost thereof shall be drawn from funds of the Columbia Hospital and likewise one hundred fifty dollars from funds of the Library; *provided*, that all supplies be obtained through and from the Supervisor's office by requisition.

(D) II. COUNTY JAIL

Salary, County Jailor	4,200.00
Travel and official expense, County Jailor ...	360.00
Salary, Assistant Jailor	3,384.59
Salary, helper at Jail	3,029.83
Salary, helper at Jail	3,029.83
Salary, helper at Jail	3,029.83
Salary, helper at Jail	3,029.83
Salary, helper at Jail	3,029.83
Salary, helper at Jail	3,029.83
Salary, Matron at Jail	2,000.00
Supplies and dieting at Jail	13,000.00
Repairs	1,000.00
Purchase of uniforms	900.00

 43,023.57

Provided, that the County Jailor shall file a monthly report with the Supervisor showing the daily number of prisoners, both State and Federal, at the jail, and the per capita cost

of dieting per day. *Provided*, further, that all monies paid by the Federal Government or municipalities for dieting of prisoners confined in the Richland County Jail shall be turned over and become part of the Richland County General Fund; *provided*, further, however, that in addition to the appropriation hereinabove provided for supplies and dieting at the jail the Richland County Board of Commissioners shall have the right to use such monies paid by the Federal Government or municipalities to supplement the appropriation, if necessary, and that complete records of same be maintained and included in the annual county audit.

(E) TAX COLLECTOR'S OFFICE

Salary, Tax Collector	5,349.46
Travel and official expense, Tax Collector ...	480.00
Salary, Assistant Tax Collector	3,835.42
Official travel, Assistant Tax Collector	900.00
Salary, Assistant Tax Collector	3,752.74
Official travel, Assistant Tax Collector	900.00
Salary, Deputy Tax Collector	3,759.63
Travel and official expense, Deputy Tax Collector	900.00
Salary, Assistant Clerk	3,533.41
Salary, Stenographer	3,212.23
Extra hire, if so much be necessary	250.00
Rent of I.B.M. Key Punch and sales tax	720.00
Service Bureau Corp. (I.B.M. work)	2,000.00
Purchase of 8 tab card file for I.B.M. use..	101.10
Purchase of 2 tab card file for I.B.M. use ...	14.42

 29,708.41

Provided, that the Assistant Tax Collectors for Richland County be deputized by the Sheriff for Richland County.

(F) DELEGATION OFFICE

Salary, Secretary to Delegation	3,500.00
Office supplies and official Legislative expense	1,000.00

 4,500.00

Provided, that the sum appropriated for office supplies and official Legislative expense shall be expended by the Secretary to the Delegation upon the approval of the Senator and at least one-half of the members of the House of Representatives from Richland County.

(G) ASSESSMENT

Board of Assessment Control, School District No. 1	28,886.00
Assessors for Board of Trustees, School Districts Nos. 2, 5 and 6, if so much be necessary	2,000.00
Board of Assessment Appeals, if so much be necessary	2,700.00
	<hr/>
	33,586.00

Provided, that members of the Board of Assessors for School Districts 2, 5 and 6 shall receive \$12.50 per day, and each of them shall be paid direct by the Supervisor upon properly executed vouchers presented based upon work actually performed. *Provided*, further, that the members of the Richland County Board of Assessment Appeals shall receive \$12.50 per day each, and shall be paid under the same procedure as provided above in regard to the members of the Board of Assessors for the School Districts.

TOTAL ITEM 1	\$348,009.30
--------------------	--------------

ITEM 2. JUDICIAL DEPARTMENT

(A) COURT OF COMMON PLEAS AND
GENERAL SESSIONS

Clerk, Jurors and Witnesses	\$ 30,000.00
Court Stenographer	1,158.75
Official expense, Solicitor, Fifth Judicial Circuit	1,450.00
Official expense, Circuit Judge, Fifth Judicial Circuit	1,500.00
Salary, Assistant Solicitor	6,008.08

Salary, Assistant Solicitor for Richland County	3,816.00
--	----------

43,932.83

Provided, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided*, that no more than four bailiffs and one Court Crier be appointed for such duties. *Provided*, that the Clerk of Court shall not pay more than thirty-four dollars per day for bailiffs. *Provided*, that the jury boy or girl employed by the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided*, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association. *Provided*, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of \$3,781.97. *Provided*, further, that the members of the Richland County Grand Jury shall receive a per diem of \$5.00 for each day such grand jury meets as a body of the whole during the year 1961-62. *Provided*, further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of \$5.00 per day. *Provided*, further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during

that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment. *Provided*, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Solicitor is hereby authorized to use for special services the sum not to exceed \$1,-600.00.

(B) COUNTY COURT

Salary, Senior County Judge	11,935.00
Travel and official expense, Senior County Judge	430.00
Salary, County Judge	8,635.00
Official expense, County Judge	430.00
Salary, County Court Stenographer	5,202.48
Salary, County Court Junior Stenographer ..	4,405.36
Salary, County Court Bailiff and Clerk	3,838.15
Official expense, County Court Bailiff and Clerk	400.00
Clerk, County Court expenses	19,000.00
Salary, County Court Bailiff	3,838.15
Official expenses, County Court Bailiff	400.00
Salary, part time County Court Bailiff	3,042.20
Official expense, County Court Bailiff	240.00

61,796.34

Provided, that the Senior County Judge may employ not more than two bailiffs at \$8.50 per day. *Provided*, further, that out of the funds herein appropriated for County Court expenses, the Senior County Judge is authorized to use as much as one hundred dollars for additions to County Law Library. *Provided*, further, that the petit jurors for the County Court shall be paid at the rate of \$5.00 per day served. *Provided*, further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the

next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

(C) JUVENILE-DOMESTIC RELATIONS COURT

Salary, Judge	8,635.00
Travel and official expenses, Judge	430.00
Salary, Probation Officer	5,609.89
Official expense, Probation Officer	600.00
Salary, Assistant Probation Officer	4,616.79
Official expense, Assistant Probation Officer	600.00
Salary, Assistant Probation Officer	4,616.79
Official travel expense, Assistant Probation Officer	600.00
Salary, Clerk of Court of Juvenile-Domestic Relations Court	4,000.00
Salary, Assistant Clerk of Court	3,380.00
Salary, Deputy Clerk of Court	3,120.00
Salary, Deputy Clerk of Court	3,120.00
Court expense	1,300.00
Deputy, Juvenile-Domestic Relations Court	4,150.23
Official travel expenses, Deputy, Juvenile-Domestic Relations Court	1,200.00
Fund for Court Reporting Service, if so much be necessary	300.00
Sound Conditioning Materials and Equipment, if so much be necessary	800.00
	<hr/>
	47,078.70

Provided, that the Deputy, Juvenile-Domestic Relations Court be deputized by the Sheriff of Richland County. *Provided*, further, that the Sheriff's office shall be relieved of the responsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

(D) JUDGE OF PROBATE'S OFFICE

Salary, Judge of Probate	7,905.00
Travel and official expense, Judge of Probate	430.00
Salary, Clerk of Probate Court	4,382.04

Salary, Assistant Clerk	3,905.04
Salary, Court Reporter	3,905.04
Stenographer	2,880.00
Expenses and publications	165.00
Part time bailiff	900.00
Cabinet	150.00

 24,622.12

(E) MASTER'S OFFICE

Salary, Master	7,905.00
Travel and official expense, Master	430.00
Salary, Court Reporter	5,000.00
Salary, Assistant Court Reporter	4,500.00
Salary, Bookkeeper	4,000.00
Allowance for Court Reporters' fees or Stenog- raphers' fees, by independent contracts, if so much be necessary	1,000.00

 22,835.00

Provided, that the initial salary of the Court Reporter or Assistant Court Reporter, if replaced, shall be at the figures above set forth, notwithstanding any section herein contained to the contrary.

(F) STANDING MASTER'S OFFICE

Salary, Standing Master	5,468.20
Official expense, Standing Master	600.00
Stenographic services	3,076.40
Extra clerical hire, if so much be necessary ..	300.00

 9,444.60

Provided, that the Standing Master shall charge and turn over to the Treasurer of Richland County the same fees as the regular Master.

 TOTAL ITEM 2\$209,709.59

ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) SHERIFF'S OFFICE

Salary, Sheriff	\$ 7,905.00
Travel and official expense, Sheriff	430.00
Salary, Chief Deputy	5,263.64
Travel and official expense, Chief Deputy	430.00
Salary, Identification Officer	4,035.75
Salary, Juvenile Officer	3,480.00
Salary, Process Server	4,763.64
Salary, Process Server	4,090.87
Salary, Investigator	4,090.87
Salary, Investigator	4,090.87
Salary, County Deputy	4,150.23
Salary, County Deputy	4,090.87
Salary, County Deputy	3,480.00
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,090.87
Salary, County Deputy	4,035.75
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, County Deputy	3,854.16
Salary, County Deputy	3,854.16
Salary, County Deputy	3,480.00
Salary, County Deputy	3,688.80
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, County Deputy	3,480.00
Salary, Communications Operator	3,000.00
Salary, Communications Operator	3,000.00
Salary, Secretary	3,699.40
Salary, Secretary	2,802.29
Copying Machine	239.01
Office Equipment	339.65
Long distance telephone and transportation of prisoners, if so much be necessary	2,800.00

Fingerprint and photo supplies	500.00
Radios and equipment	2,705.83
Contingent Fund	500.00
Deputy Sheriffs—uniforms, plain clothes and equipment	4,350.00
Insurance, fuel, repairs and maintenance of county-owned Sheriff's cars, if so much be necessary	17,450.00
Three new cars (three old ones to be traded in), if so much be necessary	5,700.00
Purchase of one new car	2,300.00
	<hr/>
	164,636.88

Provided, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semi-annually by the County Board of Commissioners on competitive basis as needed; *provided*, further, that the time of purchase of summer uniforms and clothes be changed in order to be available for use prior to July of preceding fiscal year. *Provided*, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided*, further, that the duties of County Deputies and Deputy Sheriff be defined by the Acts of 1932. *Provided*, further, that all clothes, equipment and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall cease to be employed by the county. *Provided*, further, that the appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided*, further, that the County Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

(B) CORONER'S OFFICE

Salary, Coroner	6,600.00
<i>Provided</i> , the office of the Coroner shall be a fulltime office.	
Travel and official expense	1,200.00
Coroner's Deputy, official expenses	510.00
Stenographic services, if so much be necessary	1,275.00
Jurors and communication expenses	700.00
	<hr/>
	10,285.00

Provided, that the Coroner shall call upon County Physicians to hold Post Mortem examinations. *Provided*, further, that the Coroner attest and furnish such affidavits as might be necessary to the Treasurer. *Provided*, further, that the Coroner pay each juror two dollars as a jury fee.

Provided, also that the Coroner shall use his best discretion in having inquests taken down by a stenographer to the end that \$1,275.00 herein appropriated for stenographic services shall in no event be exceeded.

(C) MAGISTRATES AND CONSTABLES

Blythewood, Magistrate, Salary	2,234.48
Blythewood, Magistrate, official travel	300.00
Blythewood, Magistrate, office rent	120.00
Blythewood, Constable, Salary	1,791.40
Columbia, Magistrate, Salary and expense ..	4,036.48
Columbia, Magistrate, Stenographer, salary ..	3,809.11
Columbia, Constable, Salary	3,303.04
Columbia, Constable, official travel	300.00
Dutch Fork, Magistrate, Salary	3,160.92
Dutch Fork, Magistrate, official travel	450.00
Dutch Fork, Magistrate, office rent	420.00
Dutch Fork, Constable, Salary	3,400.48
Dutch Fork, Constable, official travel	800.00
Dutch Fork, Constable, school	450.00
Eastover, Magistrate, Salary	2,446.48
Eastover, Magistrate, official travel	600.00
Gadsden, Magistrate, Salary	2,234.48

Gadsden, official travel	300.00
Eastover and Gadsden, Constable, Salary ...	4,549.04
Garners, Magistrate, Salary	2,764.48
Garners, Magistrate, official travel	300.00
Garners, Magistrate, rent and office expense .	360.00
Garners, Constable, Salary	3,286.00
Garners and Lykesland, Constable, official travel	900.00
Hopkins, Magistrate, Salary	2,418.92
Hopkins, Magistrate, official travel	300.00
Hopkins, Magistrate, office rent, lights, fuel and telephone	425.00
Hopkins, Constable, Salary	3,054.92
Hopkins, Constable, official travel	750.00
Killian, Magistrate, Salary	2,446.48
Killian, Magistrate, official travel	600.00
Killian, Magistrate, rent, supplies and telephone	600.00
Killian, Constable, Salary	2,764.48
Killian, Constable, official travel	600.00
Killian, Magistrate, part time stenographer ..	1,200.00
Lykesland, Magistrate, Salary	2,764.48
Lykesland, Magistrate, official travel	300.00
Lykesland, Magistrate, rent	360.00
Lykesland, Magistrate, office equipment	161.25
Olympia, Magistrate, Salary	4,342.04
Olympia, Magistrate, rent and official expense	900.00
Olympia, Constable, Salary	3,936.84
Olympia, Constable, official travel	1,500.00
Pontiac, Magistrate, Salary	2,446.48
Pontiac, Magistrate, official travel and rent ..	600.00
Pontiac, Constable, Salary	2,446.48
Pontiac, Constable, official travel	300.00
Upper Township, Magistrate, Salary	4,382.04
Upper Township, Magistrate, rent and official travel expense	900.00
Upper Township, Constable, Salary	3,082.48
Upper Township, Constable, official travel ..	600.00
Upper Township, part time stenographer	1,200.00
Waverly, Magistrate, Salary and expense ...	4,064.04

Waverly, Magistrate, rent, office expense and telephone	1,128.00
Waverly, Constable, Salary	3,303.04
Waverly, Constable, official travel	300.00
Waverly, Stenographer, Salary	2,526.98
Magistrates' forms	100.00
Uniforms for Magistrates' Constable	1,000.00
Jury fees of Magistrates	500.00

100,620.34

Provided, that the stenographer for Waverly Magistrate shall serve Magistrate at Olympia and any other Magistrate on call. *Provided*, further, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided*, further, that the Magistrates of Columbia, Eastover, Garners, Hopkins, Lykesland and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided*, further, that all Magistrates establish office hours or schedule of hours and certain designated places for trying cases in their respective districts. *Provided*, further, that out of the one hundred dollars for Magistrates' forms herein appropriated, the Supervisor and County Board of Commissioners shall purchase serially numbered receipts, in triplicate, in sufficient detail so as to provide all pertinent information with respect to cases handled by Magistrates in Richland County; and the Supervisor and Board of Commissioners shall deliver the receipts to the Treasurer of Richland County, advising how same shall be used. *Provided*, further, that each Magistrate shall make and file with the County Supervisor, each month, a verified report of criminal cases begun before him and their status and disposition, together with a list of all fines col-

lected. The County Supervisor shall not pay any salary to any Magistrate until he has made and filed the verified report herein required and, further, each Magistrate shall be required to produce and display to the Supervisor the Treasurer's receipt showing that the fines listed as being collected on his report have been paid to the Treasurer, and the Treasurer shall indicate by his stamp thereon that the fines have been paid to the Treasurer and the amount and the date on which the fines were paid, before the Supervisor shall release the Magistrate's pay warrant to him.

TOTAL ITEM 3\$275,542.22

ITEM 4. ROADS AND BRIDGES:

(A) ROADS, CONVICTS AND BRIDGES

Maintenance and repair	\$127,500.00
Salary, 4 Captains of Guards	15,600.00
Salary, 4 Foremen of Guards	12,800.00
Salary, 9 Patrol Operators	29,700.00
Salary, 24 Guards	72,000.00
Salary, 1 Mechanic	3,706.80
Salary, 1 Mechanic	3,619.88
Salary, 2 Chaplains	2,332.00
Official travel, 4 Captains @ \$60.00 per month each	2,880.00
Replacement of old equipment, if so much be necessary	30,000.00
Road, street and school signs, if so much be necessary	1,000.00
	<hr/>
	301,138.68

Provided, that the Captains of Guards, Foremen of Guards, Patrol Operators and Guards employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

(B) FARM-TO-MARKET PAVING:

Salary, Superintendent	4,822.85
Travel and official expense of Superintendent	400.00

Salary, Project Engineer	3,610.36
Salary, Stenographer	3,285.37
Salary, Guard	3,372.79
Salary, 8 Operators	35,672.48
Official expense, Supervisor	1,600.00
Official expense, Engineer	600.00

 53,363.85

Provided, that all monies saved on farm-to-market paving contracts handled by the Supervisor and Richland County Board of Commissioners shall be placed in a special account in the Treasurer's office to be used for paving or equipment used in such paving program upon the approval of the Senator and a majority of the Richland County House Delegation. *Provided*, further, that the operators employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

 TOTAL ITEM 4\$354,502.53

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) HOSPITALIZATION

I. Columbia Hospital

Inpatient charity\$360,000.00

To be paid only upon claims of the Columbia Hospital to be presented monthly to cover expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by the hospital, all of such claims to be based on a rate of fourteen dollars per day per patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed thirty thousand dollars per month; *provided*, further, that such advance shall not exceed the patient per diem claim filed by the Columbia Hospital for the preceding month; and *provided*, further, that the Board of Trustees of the Columbia

Hospital is authorized to place indigent patients in nursing homes of its selection at costs not to exceed \$42.00 per month to the hospital or to pay such money over to the Public Welfare Department for such purposes, and to pay same out of the amount hereinabove appropriated.

Outpatient charity clinic 30,000.00

Provided, that the Board of Trustees of the Columbia Hospital is authorized to hire a part-time director of the clinic at a salary not to exceed \$4,000.00 per year to be paid out of the amount hereinabove appropriated. *Provided*, that the hospital shall cooperate with the State Board of Health and work in conjunction with the County Physicians.

II. Good Samaritan-Waverly Hospital, if so much be necessary, for charity 25,000.00

Provided, that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by the hospital. All of such claims to be based on a charge of \$7.50 per day, per patient for the first thirty days of hospitalization of a particular patient; on a basis of \$3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of \$2.50 per day for succeeding days of hospitalization for that patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed \$2,083.33 per month; *provided*, further, that such advance shall not exceed the patient per diem filed by the Good Samaritan-Waverly Hospital for the preceding month.

III. Richland Tuberculosis Association 59,960.67

474,960.67

(B) VITAL STATISTICS	2,500.00
	<hr/>
	2,500.00
(C) I. COUNTY HEALTH DEPARTMENT ...	49,000.00
II. Dog control program	4,800.00
	<hr/>
	53,800.00

Provided, that all fees collected by the Health Department shall be deposited with the County Treasurer to be credited on the County General Fund; *provided*, further, that none of the above appropriation shall be spent without the approval of the County Health Officer; *provided*, further, that there shall be appropriated out of the Richland County Contingent Fund to the Richland County Health Department, in addition to the amount provided above, such amount as may be necessary to provide a sum equal to twenty cents per capita for the County's population according to the 1950 Federal Census; *Provided*, further, that the Director of the County Health Department shall file with the County Board of Commissioners an itemization of the above appropriation on or before July 1, 1961.

(D) SALARY, TWO COUNTY PHYSICIANS	3,835.80
	<hr/>
	3,835.80

Provided, that six hundred dollars of the above amount shall be paid to the County Physicians for mental examinations of service men and women for admittance to the Veterans Administration Hospital.

(E) WELFARE AGENCIES	
(1) Carolina Children's Home	7,500.00
<i>Provided</i> , that no monthly vouchers shall exceed the number of Richland County children certified by the proper authorities, and payment to be made on the basis of fifteen	

dollars per month per child and at no time shall the number exceed fifty children.

- | | |
|--|----------|
| (2) Association of the Blind for South Carolina .. | 2,000.00 |
| (3) Traveler's Aid Society | 600.00 |

10,100.00

(F) CONVALESCENT HOME

Salary, Superintendent	3,562.91
Salary, Matron	1,727.80
Salary, Maintenance Man	2,414.68
Salary, 2 Nurses @ \$2,268.40 each	4,536.80
Salary, 1 Nurse	2,185.72
Salary, 1 Cook	1,505.20
Salary, 1 Cook	1,331.36
Salary, 1 Laundress	1,505.20
Salary, 1 Maid	1,212.64
Salary, 1 Watchman	1,965.24
Supplies, operation and maintenance	16,217.14
Repairs	2,000.00

40,164.69

Provided, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and training; *provided*, further, that all monies by way of pensions, contributions or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in the Richland County Convalescent Home, shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Richland County Board of Commissioners shall have the right to use such monies so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convalescent Home if necessary. *Provided*,

further, that complete records of same be maintained and included in the annual county audit.

(G) COUNTY SERVICE OFFICER

Salary, County Service Officer	4,000.00
Official expense, County Service Officer	240.00
Salary, Assistant Service Officer	3,554.08
Official expense, Assistant Service Officer ..	240.00
Supplies and equipment	65.92

8,100.00

(H) DEPARTMENT OF PUBLIC
WELFARE

Salary, Director (Supplement)	1,777.09
Official travel, 5 Welfare Workers	2,400.00
Supplement to salaries of employees	3,052.80
Child Welfare Account, clothing, boarding homes, etc.	2,500.00
Emergency Fund	2,000.00
Telephone	650.00
Rent	4,200.00
Heat, Lights, Water and Electricity	1,550.00
Janitor Service	720.00

18,849.89

(I) CHILDREN'S HOME

Salary, Superintendent	2,482.52
Salary, Manager	2,291.72
Salary, Matron	2,109.40
Salary, Janitor and Wife	1,975.84
Operating and maintenance	8,100.00

16,959.48

Provided, that all funds received by the Children's Home from other sources be turned over to the Treasurer of Richland County.

TOTAL ITEM 5\$629,270.53

ITEM 6. AGRICULTURE, FORESTRY AND
RELATED AGENCIES

(A) COOPERATIVE EXTENSION WORK

Salary, County Agent	\$ 1,779.74
Official travel, County Agent	180.00
Salary, Assistant County Agent	818.00
Salary, Stenographer, County Agent	1,462.80
Salary, Home Agent	979.44
Salary, Stenographer, Home Agent	1,125.72
Demonstration materials for Home Agent ..	100.00
White Boys' 4-H Club Work	150.00
White Girls' 4-H Club Work	150.00
Salary, Colored Farm Agent	1,335.60
Demonstration materials, Colored Farm Agent	100.00
Salary, Stenographer, Colored Farm Agent ..	2,588.52
Salary, Colored Home Agent	1,178.72
Office rent, lights, water and fuel, Colored Farm and Home Agents	1,620.00
Demonstration materials, Colored Home Agent	100.00
Colored Boys' 4-H Club Work	150.00
Colored Girls' 4-H Club Work	150.00
Rent for Farm and Home Agents and Forest Ranger, if so much be necessary	7,620.00
Long distance telephone, County Agent	100.00
Long distance telephone, Home Agent	50.00
Long distance telephone, Colored Farm and Home Agents	75.00
Kitchen Cabinet, Colored Home Agent	15.40

 21,828.94

(B) OTHER

Salary, County Ranger	1,006.13
-----------------------------	----------

- (1) Maintenance and operation of county-owned
jeeps 1,500.00
Provided, that the above amount should be
expended on the basis of twenty-five dollars
per month per county-owned jeep, if so much
be necessary.

(2) Two new pick-up trucks (2 old jeeps to be traded in)	2,091.50
F.F.A. Club Work	150.00
Richland County Cooperative Breeders Association	2,400.00
Salary, Part time Secretary, Richland Soil Conservation District	1,200.00
Richland County A.S.C. Committee, rent and other expenses, if so much be necessary	2,160.00
	<hr/>
	10,507.63

TOTAL ITEM 6\$ 32,336.57

ITEM 7. PUBLIC BUILDINGS

(A) (1) Courthouse Bonds I	\$ 18,000.00
(2) Courthouse Bonds II	9,300.00
(B) Lights, water and fuel	5,000.00
(C) (1) Telephones	4,200.00
(2) Telephone, Associate County Judge	167.20
(D) Insurance—Burglary and Theft	6,000.00
(E) Salary, Chief Janitor	2,577.11
(F) Salary, Janitor	2,469.74
(G) Salary, Janitor	2,442.18
(H) Salary, Janitor	2,442.18
(I) Salary, Janitor	2,323.16
<i>Provided, the Chief Janitor and Janitors shall work under the direction and supervision of the Clerk of Court for the purpose of keeping the Courthouse and grounds of the Courthouse cleaned properly at all times, and shall perform such other county duties as the Clerk of Court may assign to them. They shall work such hours as the County Clerk may prescribe.</i>	
(J) Salary, Elevator Operator	2,745.01
(K) Salary, Elevator Operator	2,662.33
(L) Elevator Maintenance	600.00
(M) (1) Salary, Engineer, Courthouse	4,247.65
(2) Official expense, Engineer, Courthouse ..	430.00
(N) Expense of repairs and maintenance, Courthouse, if so much be necessary	1,000.00

(O) Salary, Maid	1,515.80
TOTAL ITEM 7	\$ 68,122.36
ITEM 8. MENTAL HEALTH CLINIC	\$ 17,148.17
TOTAL ITEM 8	\$ 17,148.17
ITEM 9. MISCELLANEOUS	
(A) For tenure, County Employees twenty-five years' service	\$ 1,495.00
(B) Voting Machines	6,000.00
(C) South Carolina Retirement System	18,700.00
(D) Social Security	21,300.00
(E) National Guard Units in Richland County ... <i>Provided</i> , that such sum shall be allocated to the National Guard Units in Richland County not on active duty.	6,500.00
(F) Livestock Exhibit, if so much be necessary ...	500.00
(G) Board of Registration	3,500.00
<i>Provided</i> , that the members of the Board of Registration shall be paid at the rate of ten dollars per day actually served.	
(H) Contingent Fund	25,000.00
(I) Richland County Library	58,850.00
(J) The Speech and Hearing Center	3,500.00
(K) Carolina Carillon	2,000.00
(L) Columbia Museum of Art	20,000.00
(M) Town of Eastover, toward purchase of fire truck	1,000.00
<i>Provided</i> , the Mayor and Councilmen of the Town of Eastover raise at least \$1,000.00 and show to the Board of Commissioners that such amount is raised and available and that the combined amounts are to be applied on the purchase of such fire truck; and <i>provided</i> , fur- ther, the people in the surrounding area out- side the corporate limits of the Town of East- over shall be served on the same basis as those living within said limits.	
(N) North Trenholm Road Fire Department	1,750.00

Provided, that all persons within the area covered by the charter of North Trenholm Fire Department be served.

(O) Capitol View Fire Department 1,650.00

Provided, that all persons within the area covered by the charter of Capitol View Fire Department be served.

(P) Civil Defense 4,100.00

Provided, that \$500.00, if so much be necessary, of above appropriation be used for storage and maintenance of emergency hospital unit.

(Q) Columbia Township Auditorium 10,000.00

(R) Industrial Development Commission of the Columbia Chamber of Commerce, if so much be necessary 15,000.00

(S) Cedar Creek Community Center, for purchase of furniture and equipment 500.00

TOTAL ITEM 9 \$201,345.00

GRAND TOTAL \$2,135,986.27

ITEM 10. EDUCATIONAL DIVISION

(A) BOARD OF EDUCATION

Salary, Superintendent of Education \$ 3,532.50

Provided, however, if the State fails to pay the Superintendent of Education a portion of his salary, then such amount is hereby appropriated as to bring his salary up to \$7,905.00 and no more.

Official travel, Superintendent of Education .. 900.00

Salary, Chief Clerk 4,131.17

Salary, Clerk 3,000.00

Salary, School Lunch Clerk, Supplement to State Aid 1,060.00

Per diem and mileage, seven County Board of Education members, if so much be necessary . 1,000.00

Extra Clerk hire, if so much be necessary ... 300.00

Utilities and incidentals 800.00

Purchase of three desks 531.61

Installation of acoustical tile and lighting fixtures	243.00
Survey of School District lines	2,000.00
	<hr/>
	17,498.28

(B) SPECIAL SERVICES

Salary Supplement of School Lunch Supervisor	2,928.25
Salary Supplement of Visiting Teacher	3,112.50
Official travel, Visiting Teacher	750.00
Salary, Coordinator of Instruction	5,400.00
Official travel, Coordinator of Instruction	660.00
Salary, Jeanes Supervisor	4,200.00
Official travel, Jeanes Supervisor	528.00
Rent utilities, Jeanes Supervisor	525.00
Workmen's Compensation Insurance	2,022.24
Employees' Bond	325.00
	<hr/>
	20,450.99

TOTAL ITEM 10\$ 37,949.27

Provided, that the expenditures listed in Item 10 shall be paid from the fifteen-mill tax levied as an equalization fund for the several school districts and the remainder shall be distributed as directed below:

There is hereby levied on all taxable property of Richland County a school equalization levy of fifteen mills, and in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to wit: in School District No. 1, a tax of thirty-one mills for local school purposes; in School District No. 2, a tax of eleven mills for local school purposes; in School District No. 5, a tax of fourteen mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the board of trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. *Provided*, that the tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexing-

ton County School District No. 5. The fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per pupil average daily attendance basis for the fiscal year prior to the collection. *Provided*, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed seventeen thousand four hundred ninety-eight dollars and twenty-eight cents as set forth in Section (A) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1961-62. *Provided*, further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed twenty thousand four hundred fifty dollars and ninety-nine cents as set forth in Section (B) above, said sum to be used for the purpose of paying salaries and expenses for special services of the office of the Richland County Superintendent of Education rendered to Districts 2, 5, and 6 for the fiscal year 1961-62. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts 2, 5, and 6. *Provided*, that the local school boards of trustees of School Districts 2, 5, and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

SECTION 2. It shall be the duty of the head of each department to inquire of the Clerk of the County Board of Commissioners, at the close of each quarter, the status of the appropriation for his department; and it shall be the further duty of the head of each department, if expenditures are running ahead of appropriations, to bring such expenditures in line with the appropriation. *Provided*, that if any department head exceeds the appropriation for his department, such overdraft shall be deducted from said department head's salary.

SECTION 3. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of

Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, S. C., and disburse same by checks issued by the duly authorized officer or employee of said hospital.

The Treasurer of Richland County is hereby authorized and directed to turn over to the secretary of the legislative delegation sufficient moneys from the General Fund of the county to pay the cost of supplies and official legislative expense. The secretary to the delegation shall deposit same in a bank to be expended upon approval of the Senator and at least half of the members of the House of Representatives from Richland County.

SECTION 4. All of the county officers of Richland County may close their offices on Saturday of each week at twelve o'clock noon, except in emergency. *Provided*, that all county offices shall be open not later than nine o'clock A.M., and close not sooner than five o'clock P.M. on all other work days; and *provided*, further, that the minimum work week for all county employees shall be forty hours.

SECTION 5. The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of the clerk of court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in said office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation within ten days after the preparation thereof. Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organization until such audit is filed.

SECTION 6. Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school districts of the county a separate warrant or order, directed to the county treasurer, signed by a majority of the board of trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided*, nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calen-

dar year, also for the payment of separate bills, amounting to less than one hundred dollars each for special services or school materials properly payable from school operation and maintenance funds, it shall be lawful for a board of trustees to issue a consolidated or "master" warrant on the county treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in any current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the county superintendent of education, in his discretion, to process all such master warrants for payment without prior reference to said county board. The processed master warrant shall be deposited by the district's disbursing agent in a separate account in a Columbia F. D. I. C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The county superintendent of education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety is to be construed as an optional alternate procedure in paying salaries of

whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

SECTION 7. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time, when in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and/or to conform with the revenue expected during the life of this act. *Provided*, however, that no such action shall be taken except in the course of a duly called public meeting of the delegation, after due notice to the heads of the respective departments to be thereby affected. The Treasurer of Richland County is authorized to extend credit for recording Federal agricultural papers.

SECTION 8. All salaried constables in Richland County shall be deputized to preserve order in their respective magisterial districts.

SECTION 9. All county-owned automobiles, station wagons and trucks except two such automobiles used by the sheriff's office, one for detective work and the other for process serving, and the automobile used by the Supervisor of Richland County, shall be, within ten days from the effective date of this act, marked, stenciled or painted on both front doors of said vehicles as follows: "Richland County" (in letters not less than three inches in height) and directly under said words the name of the county department which operates these vehicles (in letters not less than two inches in height). After ten days from the effective date of this act no person, company or corporation shall service, supply or equip any county-owned automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. After ten days from the effective date of this act no county funds shall be paid out for services to or supplies and equipment furnished for county-owned automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. Heads of county departments or agencies shall maintain a list reflecting the make, model, serial number and South Carolina license number of all county-owned vehicles in his department or agency and shall report to the Richland County Delegation when any county-owned vehicles are traded or disposed of in any way what-

soever. The markings herein provided for shall be kept visible at all times.

SECTION 10. Whenever, during the effective period of this act, a vacancy occurs in any employee position or classification provided for in this act and in the judgment of the department or agency affected it is necessary to fill such position or classification, the person newly employed shall be hired at the lowest salary appropriated in this act for such position or classification within the department affected; and if there be no such other position or classification in such department the person newly employed shall be hired at the lowest salary for similar positions or classifications for other departments or agencies provided for herein.

SECTION 11. All revenue accruing to Richland County for reimbursement, or otherwise, in excess of the amount necessary to pay appropriations herein made, shall be allocated to the general fund, unless otherwise directed by the Senator and at least one-half of the House members.

SECTION 12. All appropriations made in this act for travel and/or official expense shall be paid on voucher properly probated, as needed by officials.

SECTION 13. All heads of departments shall employ replacements or new personnel at an initial salary of at least ten per cent less than the pay provided for such employees in the 1958-1959 Richland County Appropriations Act.

SECTION 14. Any employee, who shall have tenure of twenty-five years or more in Richland County employ, shall receive an additional sixty-five dollars per year over and above the salary provided in this act.

SECTION 15. If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item or provision of this act.

SECTION 16. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R634, H1916)

No. 646

An Act To Authorize And Empower The Board Of Trustees Of School District No. 5, Richland County, To Issue General Obligation Bonds Of School District No. 5, Richland County, In An Amount Not Exceeding Three Hundred Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended; And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that further school facilities are required in School District No. 5, Richland County, and that immediate steps should be taken to authorize them, and the issuance of bonds to finance the cost thereof is required.

SECTION 2. Richland County School District 5 may issue bonds.—The Board of Trustees of School District No. 5, Richland County (hereafter called the "Board") is hereby authorized and empowered to issue general obligation bonds of School District No. 5, Richland County, in the principal amount of not exceeding three hundred thousand dollars, and to apply the proceeds of such bonds to the purposes specified in this act.

SECTION 3. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the County Treasurer of Richland County, and paid out by the county treasurer upon the warrant or order of the Board for the following purposes:

(a) So much as shall be necessary shall be applied to pay the costs incurred in the issuance of these bonds.

(b) The remaining moneys shall be used to pay the cost of constructing and equipping school buildings in the school district, and, in connection with such authorization, the Board may purchase land as a site for any school building to be constructed with the proceeds if a site therefor shall become necessary.

SECTION 4. Issue—maturity—redemption—interest—dates.—The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be

determined by the Board, except that the maturity date of the last installment shall fall due not later than twenty-five years from the date the bonds bear, and the first maturity date may be postponed five years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Board, contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the Board shall prescribe. The bonds shall bear such rate or rates of interest as the Board may determine, payable on such occasions as the Board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Board may prescribe. They shall bear such date or dates and be payable at such place or places as the Board may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereunto attached shall be executed in such manner as the Board shall prescribe.

SECTION 6. Sale.—The bonds shall be sold by the Board at not less than par and accrued interest to the date of their respective deliveries, at public sale or private sale, and if a public sale be undertaken at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 8. Payment.—For the payment of all bonds issued pursuant to this act, both principal and interest, as they shall respectively mature, the full faith, credit, resources and taxing power of School District No. 5, Richland County, shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Richland County, respectively, an ad valorem tax upon all taxable property in the school district, without limitation as to rate or amount, sufficient to pay the interest on such bonds and the bonds as they respectively mature.

The taxes, when so levied and collected, shall be held by the Treasurer of Richland County, separate and distinct from all other funds, and used solely for the purposes for which levied and collected.

SECTION 9. When action required by board may be taken.—

Any action required of the Board may be taken at any meeting of the Board, regular or special, and at such meeting a majority of the members of the Board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the Board by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R640, H1927)

No. 647

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes, For A Period Of Twelve Months, Beginning July 1, 1961 And Ending June 30, 1962, Both Inclusive, For Saluda County; To Provide For The Expenditure Thereof; And To Provide For The Rental Of Certain County Properties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1961 to June 30, 1962, for the amounts and purposes hereinafter mentioned.

Item 1. Roads and Bridges:

Maintenance of Roads and Bridges, tractor force
and convicts, and purchase of concrete pipe . . . \$ 50,000.00
Any balance that might be in Item 1 at the end

of the fiscal year (June 30, 1961) shall be transferred to Item 1 for the new fiscal year 1961-1962, and to be in addition to the amount set forth in Item 1.

TOTAL, ITEM 1	\$ 50,000.00
Item 2. Salaries, payable monthly:	
Clerk of Court	\$ 1,100.00
Treasurer (County's part)	1,000.00
Auditor (County's part)	1,000.00
Chairman, Board of Commissioners, for full time	3,000.00
Travel Expense	1,200.00
The Chairman of the Board of Commissioners, in connection with his employment as such, shall be furnished gasoline from the pumps located at the County Home for official business.	
Two County Commissioners @ \$700.00 each, and expenses	1,400.00
Clerk of Board and Tax Collector	2,700.00
Superintendent of Education, salary	450.00
Travel Expense	600.00
Judge of Probate	2,600.00
<i>Provided</i> , that the Judge of Probate shall receive in addition to the above all fees collected by him for the issuance of marriage licenses.	
Magistrate at Courthouse	1,500.00
Magistrate at Ridge Spring	750.00
Constable at Ridge Spring, to be deputized by Sheriff, at Sheriff's discretion	400.00
Two Magistrates at \$300.00 each	600.00
Two Constables to Magistrates at \$100.00 each	200.00
Coroner and his Deputy	500.00
Clerical help, \$5.00 for each case	60.00
Travel Expenses	400.00
Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at \$125.00 per month	1,500.00
County Attorney	150.00
County Physician	480.00
<i>Provided</i> , that the County Physician shall act as one of the examining physicians in each lunacy	

case and assist in all post mortems, without extra compensation.

Clerical help for Clerk of Court's Office 2,700.00

Provided, that such help shall be employed by the Clerk of Court.

Treasurer's expenses 300.00

Auditor's expenses 300.00

Clerk of Court's expenses 200.00

Sheriff 3,900.00

Provided, that the Sheriff and his family shall occupy the living quarters of the jail and shall have full use of the county property therein, including the payment for lights and water.

Provided, that the Sheriff shall receive in addition to the above all fees collected in his office.

Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the Delegation) and the expenses for two Deputy Sheriffs, \$3,640.00 each 7,280.00

Provided, it shall be the duty of each of the deputies to assist the Tax Collector in collecting delinquent taxes by serving notice of executions or otherwise as directed by the Tax Collector.

The two deputies above-mentioned shall be clothed with authority to arrest without warrant any person known or suspected by them, upon satisfactory information, of violation of any of the criminal laws of the State; *provided*, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided*, that the deputy sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; *provided*, that if the deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the Legislative Delegation. The Sheriff or deputy sheriffs shall transfer all lunatics to the asylum free of all costs, except actual

expenses. *Provided*, further, that the deputy sheriffs shall work under the direction of the Sheriff and shall devote their entire time to the duties of the office. The Sheriff or deputy sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

Tax Collector \$ 1,500.00

Provided, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

TOTAL, ITEM 2 \$ 37,770.00

Item 3. Board of Assessors and Equalization, if so much be necessary \$ 1,500.00

Provided, that each member of the board of assessors shall receive compensation in the sum of thirty dollars (\$30.00) annually; and *provided*, further, that the county board of equalization shall meet upon call of the county auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

TOTAL, ITEM 3 \$ 1,500.00

Item 4. Jail expenses, including dieting of prisoners at one dollar and fifty cents per day each, and bedding, less lights \$ 1,700.00

Jurors and witnesses 1,800.00

Water and fuel—Courthouse and Agricultural Building 1,450.00

Lights for Courthouse Square 112.00

Lights for Jail, Agricultural Buildings, Courthouse and County Farm 1,800.00

Saluda Chamber of Commerce, industrial developments 750.00

National Guard Unit 1,200.00

Provided, that this amount shall be divided equally between the two companies.

Telephones located as follows: one telephone to

be located in Sheriff's house, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home and one in Sheriff's office; and long distance calls	1,200.00
For Sheriff's travel expense outside of Saluda County	100.00
Courthouse supplies and Agricultural Building	1,200.00
(Including janitor and two telephones for Agricultural Building)	
Twelve months' rent, lights, fuel, for Welfare Department at \$45.00 per month	540.00
Twelve months' rent for Unemployment Board	180.00
Vital Statistics	125.00
Saluda Standard—Printing County Reports	100.00
Miscellaneous office expenses, if so much be needed:	
Clerk of Court	1,000.00
Sheriff	125.00
Judge of Probate, office equipment	300.00
Treasurer	250.00
Office expense for tax billing machine	500.00
Superintendent of Education	75.00
Auditor	275.00
Commissioner's Office	100.00
Magistrate's Office, printing necessary blanks	150.00
<i>Provided</i> , that the bills for printing herein authorized shall be paid upon separate bills rendered by each county officer.	
<i>Provided</i> , magistrates' jurors shall receive as compensation one dollar per day.	
Tax collector, books and stationery	200.00
<i>Provided</i> , above office expense appropriations shall be excepted from provisions of Section 5.	
Auditing County Officers' Books	400.00
Agricultural Department:	
4-H Boys' Club	50.00
4-H Girls' Club	50.00
F.F.A. Boys' Club, Saluda	50.00
J.H.A. Girls' Club, Saluda	50.00

F.F.A. Boys' Club, Hollywood	50.00
J.H.A. Girls' Club, Hollywood	50.00
F.F.A. Boys' Club, Ridge Spring	50.00
J.H.A. Girls' Club, Ridge Spring	50.00
County Agent	75.00
Home Demonstration Agent	50.00
Supplement to present County Agent's salary ..	500.00
Travel expense	700.00
Supplement to present Home Demonstration Agent's salary	200.00
Welfare Board	648.00

TOTAL, ITEM 4\$ 18,205.00

Item 5. Miscellaneous Contingent:

Provided, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955: all court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court. Mileage shall be paid for the distance from home to place of inquest one way only.

Post mortems, inquests and lunacies

Transportation to State Hospital

Insurance on officers' bonds

Saluda County's proportional expense of S. C.

Retirement System and Withholding Tax

Insurance and Sinking Fund

Insurance of county employees

Any funds paid out of the general miscellaneous contingent fund account, not approved in the county appropriations act, must be approved by the Saluda County Legislative Delegation.

GRAND TOTAL\$107,475.00

Less Estimated Revenue, Other Than Taxes:

Gas Tax	\$ 48,000.00
Income Tax	11,000.00
Other Revenue	14,544.00
<hr/>	
Total	\$ 73,544.00

TO BE RAISED BY TAXATION\$ 33,931.00

SECTION 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering of any mortgage or other instrument conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided*, that Saluda County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1952. Notwithstanding the provisions of Section 27-96, Code of Laws of South Carolina, 1952, the clerk of court shall charge one dollar and fifty cents for recording a deed and one dollar and twenty-five cents for recording a mortgage on real estate.

SECTION 3. The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected and the tax collector shall retain one dollar and fifty cents out of every such execution.

SECTION 4. In anticipation of the collection of 1961 taxes, the county board of commissioners and the treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1961 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

SECTION 5. The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished. Any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided*, however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County Legislative Delegation, in addition to the punishment now provided by law.

SECTION 6. All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them, and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1961, December 31, 1961, and June 20, 1962, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the people of the county. Failure to make such reports by January, 1962, shall make such officer failing in this requirement subject to removal from office by the Saluda County Legislative Delegation.

SECTION 7. All county officers shall be paid monthly and such payment shall not exceed one-twelfth of the amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency, and if it be necessary, and by consent of the delegation.

SECTION 8. As soon as the total amount of property for taxation has been ascertained for the year 1961, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriations herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

SECTION 9. The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and

he shall employ a janitor and shall have supervision over the janitor at all times. The chairman may designate someone to assist him during his absence.

SECTION 10. Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1961-1962, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

SECTION 11. The treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1961-1962 in a separate fund to be known as "General School Fund," and this fund may be used at the discretion of the county superintendent of education by and with the consent of the county board of education.

SECTION 12. If, for any cause, the office of the chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

SECTION 13. All offices of the courthouse may be closed at 1:00 o'clock P.M., every Saturday afternoon and every Thursday afternoon.

SECTION 14. The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

SECTION 15. The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board to the end that the farm may supplement the funds provided for the county chain gang.

SECTION 16. The county delegation is directed to charge a reasonable rental for such buildings and property as belong to the county and may be accepted by agencies of the Federal Government. Such monies as are received from this source shall be placed in a special agricultural fund to be used exclusively for improvements on such buildings as are rented pursuant to the terms of this section.

SECTION 17. No tax levy for school purposes shall be effective unless approved by the legislative delegation from the county.

SECTION 18. All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by

the board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

SECTION 19. The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

SECTION 20. All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

SECTION 21. If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R169, H1448)

No. 648

An Act To Remove A Certain Area Included In The Cowpens Water District And In The Liberty-Chesnee-Fingerville Water District In Spartanburg County From The Cowpens Water District So That It Will Be Included Only In The Liberty-Chesnee-Fingerville Water District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Area removed from Cowpens Water District.—The area hereinafter described in Spartanburg County shall remain in the Liberty-Chesnee-Fingerville Water District and is removed from the Cowpens Water District :

“All of that certain territory or area beginning at the northern boundary of the Spartanburg Metropolitan District on U. S. Highway No. 221, approximately one mile north of Whitney, and running in a northerly direction along U. S. Highway No. 221 with the western boundary of a radius of three hundred feet along U. S. Highway No. 221 to the intersection of a county

road opposite of Liberty Church and continuing in an easterly direction along this county road with the northern boundary of a radius of three hundred feet along the county road for a distance of one-half mile.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 17th day of March, 1961.

(R194, H1449)

No. 649

An Act To Amend Act No. 1287 Of The Acts Of 1938, As Amended, Relating To The Committee For The Spartanburg Metropolitan Sub-District B In Spartanburg County, So As To Require A Filing Fee Of Candidates For Election To The Committee.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sec. 1 of Act 1287 of 1938 amended—election of committee for Spartanburg Metropolitan Sub-District B—vacancies—compensation.—Section 1 of Act No. 1287 of the Acts of 1938, as amended, is further amended by striking on lines thirty and thirty-one the following: “out of the water rent collected” and inserting in lieu thereof the following: “Any candidate for election must be a qualified elector, resident of the Sub-District. In order for a candidate’s name to be printed on the ballot, he must pay to the Sub-District a fee of twenty-five dollars at least seven days prior to the election (but no fee shall be required in a second election made necessary by lack of a majority in the first) which shall be applied to expenses of the election.” so that the section when amended shall read as follows :

“Section 1. That in the Spartanburg Metropolitan Sub-District B where the committee consists of three members and where such members were recommended by the Spartanburg Legislative Delegation and appointed by the Governor under the authority of Act No. 556, Acts of the General Assembly 1929, and Act No. 1131, Acts of the

General Assembly 1930, to serve as the committee for the Spartanburg Metropolitan Sub-District B, Spartanburg County, such appointments are hereby declared vacant as of July 1, 1938. That elections be held, noticed, ordered and the results thereof declared as herein provided for elections to fill the terms designated. The successors of the now existing committee of the Sub-District B shall be named in an election to be held the second Tuesday in May. In case of any candidate failing to receive a majority of the votes cast, a second election shall be held two weeks later, and the candidate receiving the highest number of votes is elected. One member of the Committee for the Spartanburg Metropolitan Sub-District B shall be elected for two years, a second member for four years, and the third member for six years, and thereafter one member shall be elected every two years for a six year term. The member who is elected for six years shall be chairman and each member elected thereafter shall serve the last two years of his term as chairman. The elections shall be conducted by three managers appointed by the Committee for the Spartanburg Metropolitan Sub-District B, and it shall be their duty to make all necessary preparation for the holding of such election, to hold and conduct the same and to canvass the ballots and to declare the results of the election in accordance with the rules and regulations provided for the holding of general elections in this state. That the expenses of such elections shall be paid, upon properly approved warrants, by the Committee for the Spartanburg Metropolitan Sub-District B. Any candidate for election must be a qualified elector, resident of the Sub-District. In order for a candidate's name to be printed on the ballot, he must pay to the Sub-District a fee of twenty-five dollars at least seven days prior to the election (but no fee shall be required in a second election made necessary by lack of a majority in the first) which shall be applied to expenses of the election. No member of the committee in office shall be eligible to serve as a manager. Also the committee shall post notice of the election to be held at three places within the district, one of which shall be on the door of the school house in the district not less than ten days before the election. Also put notice of the election in one of the daily papers in Spartanburg County not less than ten days before the election is held. In the event of the death or resignation of any member of the committee the Governor shall appoint, upon a recommendation of a majority of the Spartanburg County Legislative Delegation, a member to fill the vacancy for the unexpired term. In each election there-

after the same rules and regulations shall govern. It shall be the duty of the managers within five days after any election to certify the result of such election to the State Election Commission of Spartanburg County who shall, in turn, certify those elected to the Governor of the State of South Carolina and those so certified shall be appointed to serve as the committee by the Governor for the terms designated. The Committee for the Spartanburg Metropolitan Sub-District B shall receive such compensation for their services as the committee may fix not to exceed twenty dollars per month for each member thereof; *provided*, that such compensation shall be paid only from surplus funds of the sub-district. *Provided*, that said surplus funds shall be certified and verified by the special auditor for Spartanburg County."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R399, H1608)

No. 650

A Joint Resolution Directing The Auditor And Treasurer Of Spartanburg County To Cease The Levying And Collection Of County Taxes Upon Property Of Any Masonic Lodge In Spartanburg County Which Is Used For Nonprofit Purposes.

Whereas, Item (9) of Section 65-1522, Code of Laws of South Carolina, 1952, specifically exempts from county, municipal and school district taxes the property of any fraternal society, association, or corporation in Spartanburg County not operated or used for profit; and

Whereas, in spite of this unequivocal provision of law the Auditor of Spartanburg County has been levying and the Treasurer of Spartanburg County has been attempting to collect county taxes upon property owned by Masonic lodges in Spartanburg County; and

Whereas, this levy and attempted collection is illegal. Now therefore,
Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County Auditor to cease taxing Masonic Lodges.—The Auditor of Spartanburg County is hereby directed to cease levying county taxes upon the property of any Masonic lodge in Spartanburg County used for nonprofit purposes and the Treasurer of the county is hereby directed to honor no levy made by the auditor on such property.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of May, 1961.

(R467, H1825)

No. 651

An Act To Amend Act No. 1101 Of The Acts Of 1956, Relating To The Woodruff-Roebuck Water District In Spartanburg County, So As To Further Provide For The Terms Of Office Of The Commissioners.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1101 of 1956 amended—managed by a commission—compensation.—Section 2 of Act No. 1101, of the Acts of 1956, is amended by changing the period after the word “act” on line 11 to a comma and adding the following: “and shall expire at the end of the fiscal year in which their terms expire.” so that, when so amended, the section shall read as follows:

“Section 2. The district shall be operated and managed by a commission to be known as ‘Woodruff-Roebuck Water District Commission’ which shall consist of three persons, two of whom shall reside in or near the Town of Woodruff and the other member shall reside in or near the Town of Roebuck. E. W. Stroud, M. A. Foster and C. G. Edwards, Sr., shall constitute the initial members of the commission, who shall serve for terms of two, four and six years, respectively. Thereafter, the regular terms of office of the members of the commission shall be for six years, and until their successors are appointed and qualify. The initial terms of office shall begin as of the effective date of this act, and shall expire at the end of the

fiscal year in which their terms expire. Upon the termination of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Spartanburg County, including the Senator. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Spartanburg County, including the Senator. The salary of the Commissioners herein shall be six hundred dollars each per year for the first two years and thereafter the salary of each commissioner shall not exceed three hundred dollars annually."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1961.

(R629, H1892)

No. 652

An Act To Authorize And Empower Startex-Jackson-Wellford-Duncan Water Commission To Issue General Obligation Bonds Of Startex-Jackson-Wellford-Duncan Water District In The Principal Amount Of Not Exceeding Two Hundred Fifty Thousand Dollars, If The Election Required By This Act Shall Result Favorably; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Startex-Jackson-Wellford-Duncan Water District was duly created by Act No. 1105 of the Acts of 1956 and is now comprised of the territory described in that act and in Act No. 1181 of 1958 and Act No. 1125 and Act No. 1128 of 1960, which last mentioned acts enlarged the District as originally created. The District as

originally created was empowered to incur indebtedness in the aggregate principal amount of one million five hundred thousand dollars, if the election required by Act No. 1105 resulted favorably. An election was held upon the issuance of not exceeding one million two hundred fifty thousand dollars of bonds, and bonds in that amount were issued and their proceeds applied to constructing and establishing a water system in the District.

SECTION 2. Findings—further.—The General Assembly finds that the enlargement of the District and the growth therein requires further water distribution facilities, and on the basis of that finding has determined to empower the Startex-Jackson-Wellford-Duncan Water Commission to undertake such enlargements and to borrow not exceeding two hundred fifty thousand dollars for such purpose, if the election required by this act shall result favorably.

SECTION 3. Election concerning issuance of bonds.—In order to determine if the authorizations of this act shall become available to it, the Startex-Jackson-Wellford-Duncan Water Commission (herein called “the Commission”) is hereby empowered to adopt a resolution ordering a special election to be held in the District on a date to be fixed by the Commission. Whereupon, and if request therefor be made by the Commission, it shall be the duty of the Commissioners of Election for Spartanburg County to conduct the election.

Voting places for the election shall be established in each precinct or portion thereof in the District and at such election all persons residing in the district and qualified to vote in general elections shall be eligible to vote.

Notice of the election shall be given by the Commission by the publication of a notice in a daily newspaper published in Spartanburg County, setting forth the time, purpose, the question to be voted on, the qualification of voters, and the location of the several voting places, on at least three occasions; the first publication shall appear not less than twenty days before the date of the election, and the remaining publications shall be spaced at intervals of seven days.

The ballot to be used in the election shall be in form substantially as follows:

“Shall Startex-Jackson-Wellford-Duncan Water Commission be empowered to issue not exceeding two hundred fifty thousand dollars of general obligation bonds of Startex-Jackson-Wellford-Duncan Water District to provide funds for

extensions and enlargements of the existing water distribution system of the District?

YES

NO”

Appropriate instructions shall appear on the ballot apprising persons in favor of the issuance of bonds to strike through the word NO, and apprising those against the issuance of bonds to strike through the word YES.

The election shall be conducted by managers appointed by the Commissioners of Election for Spartanburg County, who shall cause the polls to be kept continuously open from 8:00 A.M. until 6:00 P.M. on the date set for the election.

Following the closing of the polls, the managers shall make their returns to the Commissioners of Election, who shall thereupon canvass the returns and declare the results of the election. Due notice to the Commission shall be given by the Commissioners of Election of the results of the election, and if the Commission shall cause a copy of the declaration (certified to by the Commission) to be filed in the office of the Clerk of Court for Spartanburg County and in the office of the Secretary of State, no action challenging the result of the election or the validity of its holding shall be brought, unless instituted within thirty days thereafter.

SECTION 4. Bonds may be issued if election favorable.—If the election provided for by Section 3 hereof shall have resulted favorably, then, in order to provide funds for extensions, enlargements and improvements to the water system of the District, the Commission is hereby authorized and empowered to issue, either as a single issue, or from time to time as several separate issues, not exceeding two hundred fifty thousand dollars of general obligation bonds of Startex-Jackson-Wellford-Duncan Water District.

SECTION 5. Dates—maturity—redemption.—All bonds issued pursuant to the authorizations of this act shall bear such date or dates as the Commission shall determine, and the bonds of any issue or series shall mature in such equal or unequal annual instalments as may be determined by the Commission, except that the first maturing bonds of any issue or series shall mature not later than three years from their date and the last maturing bonds of any issue or series shall mature not later than thirty years from their date. They shall be made payable at such place or places as the Commission shall prescribe, and such

bonds shall bear interest at such rates as shall be designated by the successful bidder at the sale thereof, subject to such limitations and restrictions as the Commission may impose. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the Commission shall prescribe.

SECTION 6. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a daily newspaper of general circulation published in South Carolina. In offering the bonds for sale the Commission may reserve the right to reject all bids, but if all bids are rejected, the bonds shall be re-advertised for sale in the same manner. If a second call for bids shall produce results unsatisfactory to the Commission, the Commission shall be empowered to effect a private sale of the bonds authorized hereby.

SECTION 7. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730, Acts of 1952.

SECTION 8. Execution.—All bonds issued pursuant to this act and the coupons to be appertaining thereto shall be executed in such manner as the Commission shall prescribe.

SECTION 9. Payment.—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit resources, and taxing power of Startex-Jackson-Wellford-Duncan Water District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Spartanburg County, respectively, an ad valorem tax upon all taxable property in Startex-Jackson-Wellford-Duncan Water District without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities.

The taxes, when so levied and collected shall be held by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

SECTION 10. Proceeds.—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Spartanburg County in a separate and distinct fund and shall be expended upon the warrants or orders of the Commission for purposes for which the bonds are issued, provided that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

SECTION 11. Powers to be additional.—The power and authority hereby conferred shall be in addition to all presently existing power and authority, and not in abrogation thereof, except that authority to issue bonds by reason of previous enactments of the General Assembly not made use of on the occasion of the effective date of this act shall be deemed to have lapsed and to be of no further force or effect.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R662, H1949)

No. 653

An Act To Validate Certain Expenditures Made By Spartanburg County For County Purposes During The Calendar Year 1960-1961 And To Provide For The Expenditure Of Certain Monies Appropriated For The Use Of The Register Of Mesne Conveyances Of Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County expenditures validated.—The following sums which have been expended by Spartanburg County for county purposes upon approval of the county legislative delegation during the calendar year 1960-1961 are hereby validated and declared to be legal in all respects:

County Auditor—Additional Clerk	\$ 2,090.00
Civil Defense Program—	
For the matching of City of Spartanburg and	
Federal Funds of the operation of Civil Defense	695.55
Supervisor's Office—Two new cars	3,080.73
Sheriff's Department—Two new cars	3,635.28
Civil Defense Operation for Telephone	165.00
Sheriff's Office—Sirens	1,530.72
Department of Public Welfare—For Foster	
Homes	1,500.00
Sheriff's Office—A straight Jacket and decals ..	182.65
The following additional items for the fiscal year	
ending June 30, 1961, are hereby appropriated	
for :	
Transcripts and Inquests	800.00
Post Mortems	300.00
Medicine at County Jail	200.00
	<hr/>
	\$ 14,179.93

SECTION 2. Register of mesne conveyances may use certain monies.—The unused portion of the appropriation made to the Register of Mesne Conveyances for indexing in the sum of one thousand one hundred eighty-two dollars and two cents may be used by the Register of Mesne Conveyances for extra clerical help.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R671, H1874)

No. 654

An Act Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax levy of thirty-two mills is hereby levied on all taxable property in Spartanburg County for county and school purposes for the fiscal year beginning July 1, 1961, and ending June 30, 1962, for the amounts and purposes hereinafter mentioned and set forth herein :

ITEM 1. ADMINISTRATIVE DEPARTMENT

(A) 1. Auditor's Office

Salary, Auditor\$ 3,492.00

The annual salary of the County Auditor shall be paid from State and County funds and shall not exceed \$7,122.50, and the appropriation for County Auditor shall be adjusted accordingly.

Travel and Official Expenses, Auditor 650.00

Chief Clerk (A) 4,150.00

Senior Clerk (C) 2,825.26

Senior Clerk (C) 3,059.78

Senior Clerk (C) 2,942.52

Recording Clerk (F) 2,180.50

Recording Clerk (D) 2,576.95

Map Book Clerk (one-half salary) (D) 1,752.50

The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

2. Board of Assessors and Equalization :

Outside City 3,000.00

Travel 650.00

The Board of Assessors and Equalization for outside the city shall be paid \$10.00 each per day and seven cents per mile one trip.

Provided, that of the \$3,000.00 above appropriated the County Auditor may expend the sum of \$600.00 for clerical help for the Board of Assessors.

Spartanburg City 2,340.00

The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid

by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help 3,450.00

Extra clerical help to be expended in accordance with county personnel and salary policies.

Total, Sections (A) 1, and (A) 2 33,069.51

(B) Treasurer's Office

Salary, Treasurer 3,492.00

The annual salary of the County Treasurer to be paid from State and County funds shall not exceed \$7,122.50 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A) 4,150.00

Receiving-Paying Teller (B+) 4,150.00

Receiving-Paying Teller (B+) 4,150.00

Receiving-Paying Teller (B) 3,532.80

Senior Clerk (C) 3,059.78

Bank Charges 100.00

Total, Section (B) 22,634.58

(C) Clerk of Court's Office

Salary, Clerk of Court 7,122.50

Deputy (A) 4,150.00

Senior Clerk (C) 2,942.52

Clerk-Stenographer (D) 2,683.90

Total, Section (C) 16,898.92

(D) Office of Register Mesne Conveyance

Salary, Register Mesne Conveyance 7,122.50

Deputy Clerk (A) 4,150.00

Senior Clerk (D) 3,005.00

First Clerk (E) 2,477.44

Index Clerk (E) 2,674.88

Photo Copy Machine Operator (D) 2,790.85

Microfilm Operator (D) 2,790.85

Recording Clerk (E) 2,477.44

Recording Clerk (E)	2,378.72
Recording Clerk (E)	2,280.00

Total, Section (D) 32,147.68

All fees collected by the Register Mesne Conveyance for making copies of all certifications shall accrue to that office.

(E) Office of County Board	
County Board members	1,800.00
Clerk and Secretary, County Board	6,160.00
Travel, Clerk and Secretary	900.00
Assistant Clerk (A)	4,150.00
Senior Clerk (C)	3,294.00
Clerk-Stenographer (F)	2,180.50
County Board Contingent	2,500.00
County Attorney	2,000.00
County Physician	1,665.41
The appropriation for the County Physician for medical work at the County Jail and Farm includes V.D. treatment of county prisoners at County Jail.	
Examination of the mentally ill	3,600.00
<i>Provided</i> , no physician shall be paid in excess of ten dollars for any one examination.	
Insurance—County-owned cars	200.00
Operation and upkeep—County-owned cars ..	6,000.00
Workmen's Compensation Insurance	8,750.00
Stationery and supplies for all county offices .	36,000.00
Bonds of Officers and County Officials	1,650.00
Office Equipment	3,000.00
RMC office, incidentals and convention expense	600.00
Telephone service	10,000.00
PBX Operator (C)	3,059.78
Clerk Typist (F)	2,090.00
Salary—Voting Machine Service	600.00
Voting Machines—Maintenance and transportation	600.00

Total, Section (E) 100,799.69

(F) Delinquent Tax Collections 18,000.00

Provided, all expenditures from the above appropriation for delinquent tax collections shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

	Total, Section (F)	18,000.00
(G)	Superintendent of Education	
	Salary, Superintendent of Education	2,585.00
	The total amount of salary for the Superintendent of Education from any State or County source shall not exceed \$7,122.50, and the above appropriation shall be adjusted accordingly.	
	Travel, Superintendent of Education	800.00
	The travel allowance for the Superintendent of Education is for travel within the county. Expenses for travel outside the county shall be approved by the County Board of Education.	
	Assistant Superintendent of Finance and Purchasing	5,000.00
	Travel, Assistant Superintendent of Finance and Purchasing	500.00
	Chief Clerk (B)	3,800.00
	Secretary (C)	3,177.04
	Clerk-Stenographer (D)	2,683.90
	Clerk-Typist (part time) (D)	1,395.42
	Visiting Teacher—Chief	525.00
	Travel—Visiting Teacher—Chief	575.00
	Visiting Teacher	3,226.00
	Travel—Visiting Teacher	475.00
	Adult Education	6,000.00
	Adult Education—Pacolet	1,000.00
	Total, Section (G)	31,742.36
(H)	Office of Special Auditor	
	Salary, Special Auditor	6,160.00
	Chief Clerk (B)	3,800.00

Senior Clerk—Vital Statistics (C)	3,177.04
Clerk-Stenographer (D)	2,683.90
Verification, Highway Fines	200.00
Vital Statistics	100.00

Total, Section (H) 16,120.94

TOTAL, ITEM 1\$271,413.68

ITEM 2. JUDICIAL DEPARTMENT

(A) Court of Common Pleas and General Sessions,
Seventh Judicial Circuit

Jurors, witnesses and bailiffs	\$ 36,500.00
Stenographer for Circuit Solicitor	600.00
Assistant Solicitor	507.50
Court Bailiff—Circuit and County Courts ..	2,500.00
Transcripts and Inquests	1,500.00
Printing Bar Roster	800.00

Total, Section (A) 42,407.50

(B) County Court

Jurors, witnesses and bailiffs	20,000.00
Salary, Judge	10,000.00
Salary, Solicitor	4,950.00
Stenographer for Solicitor	600.00
Circuit Court Stenographer	266.66
Court Stenographer	3,683.33

The County Court Stenographer is authorized to charge the same rate for transcripts as the Circuit Court Stenographer charges and such revenue shall accrue to the County Court Stenographer.

Total, Section (B) 39,499.99

(C) Juvenile Court

Salary, Judge (part time)	3,932.50
Probation Officer	5,000.00
Travel, Probation Officer	1,200.00
Assistant Probation Officer	3,975.00
Travel, Assistant Probation Officer	1,200.00
Assistant Probation Officer	3,950.00

Travel, Assistant Probation Officer	1,200.00
Clerk-Stenographer (C)	3,294.00
Court Expenses, conveying probationers, detention care, etc.	3,400.00

Provided, that the amount herein provided for regular travel within the county of probation officers shall be paid on the basis of seven cents per mile for travel on official business, upon duly itemized sworn statements approved by the Judge of the Children's Court, filed with the County Board of Spartanburg County. Travel allowance for which payment is made for any one month shall not exceed 1600 miles, and in no event shall the annual amount paid under this appropriation exceed the sums herein provided for such annual appropriation.

Total, Section (C)	27,151.50
(D) Civil Courts of Spartanburg	
Salary, Judge of Civil Court	5,500.00
Salary, Judge of Civil Court	5,500.00
Two Spartanburg-City-Special Constables at \$1,083.33 each	2,166.66
Salary, Clerk-Stenographer (D)	3,005.00
Clerk-Stenographer (D)	2,683.90
Clerk-Stenographer (D)	3,005.00
Clerk-Stenographer (D)	2,897.80
Clerk-Stenographer (D)	2,790.85
Jurors for Civil Courts	300.00
Total, Section (D)	27,849.21
(E) Judge of Probate's Office	
Salary, Judge of Probate	7,122.50
Assistant to Judge of Probate (A)	4,150.00
Secretary (C)	3,177.04
Senior Clerk (C)	3,294.00
Recording Clerk (F)	2,180.50
Recording Clerk (F)	2,271.00
Recording Clerk (F)	2,180.50
When the Probate Judge directs a lunacy case	

or cases to be carried to the State Hospital or similar institution in the State, it shall be the duty of the Sheriff to convey such prisoners in a county-owned car.

Total, Section (E)	24,375.54
(F) Master's Office	
Salary, Master	7,122.50
Assistant to Master (A)	4,150.00
Clerk-Stenographer (D)	2,576.95
Clerk-Stenographer (F)	2,090.00
Total, Section (F)	15,939.45
TOTAL, ITEM 2	\$177,223.19
ITEM 3. LAW ENFORCEMENT DEPARTMENT	
(A) Sheriff's Office	
Salary, Sheriff	\$ 10,000.00
Travel and Official Expenses of Sheriff	2,200.00
Salary, Deputy Sheriff	4,943.00
Travel and Expenses, Deputy Sheriff	1,800.00
Clerk-Stenographer (D)	3,005.00
Identification Work, etc.	1,500.00
For special work, identification and sundry expenses payable on demand of Sheriff.	
Rural Police:	
1 Chief	4,943.00
Travel, Chief of Rural Police	1,800.00
1 Lieutenant	4,607.00
1 Lieutenant	4,607.00
5 Rural Police at \$4,286.00	21,430.00
17 Rural Police at \$3,854.00	65,518.00
16 Travels at \$2,352.00	38,632.00
Detectives:	
1 Captain	4,875.00
3 Detectives at \$4,515.00	13,545.00
1 Record Clerk	4,408.00
Bookkeeper and Cashier	4,286.00
Radio Operators:	
2 at \$4,286.00	8,572.00

Clothing allowance for Rural Policemen and plain clothes men	8,170.00
--	----------

No rural policeman who wears a uniform shall receive in excess of two hundred thirty-five dollars each.

Those serving as detectives, jailors, radio dispatchers, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equipment, and supplies furnished by the Sheriff's office to the Rural Policemen, Jailors and Deputy Sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the county, upon demand by the Sheriff.

Conveying Prisoners	2,600.00
---------------------------	----------

This appropriation shall be disbursed at the rate of seven cents a mile upon itemized sworn statements filed with the County Board and approved by the Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and detectives, shall be paid on the basis of seven cents a mile for travel on official business upon duly itemized sworn statements filed with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2800 miles. The County Board is authorized to pay any policeman who uses his own car that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment clause, such amount to be paid out of the general fund of Spartanburg County upon duly approved claims. *Provided*, Spartanburg County is limited to paying only the liability and property damage insurance.

Dieting of prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff . . .	100.00
Repairs—County Police Radios	1,500.00
Engineer and Maintenance for City-County Police Radio	6,415.50

Provided, the county pays \$6,415.50 and the city pays \$6,415.50 for the City-County Police Radio. *Provided*, further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of \$12,831.00 for county and city. *Provided*, the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as county affairs are concerned. *Provided*, further, the County Board of Spartanburg County is hereby directed to pay no claim from this appropriation until same is itemized and approved by the Sheriff.

Constables :

Constables at Mills, 3 at \$700.00	2,100.00
--	----------

Provided, such Constables are deputized by the Sheriff of Spartanburg County.

Additional Law Enforcement Officers, 2 at \$700.00	1,400.00
--	----------

Provided, that they shall be appointed by a majority of the delegation.

3 Constables at Jackson Mill, Startex, and Arcadia, \$862.50 each	2,587.50
---	----------

J. J. Brady, Rural Policeman, for one-half year ending December 31, 1961	1,707.96
--	----------

Total, Section (A)	227,251.96
------------------------------	------------

The Sheriff's office shall collect, by checks payable to the Spartanburg County Treasurer, a fee of one dollar for each inquiry concerning the record or reputation of a person in regard

to violation of the laws of the United States and of this State relating to liquor.

(B) County Jail

Jailors:

One Lieutenant	4,607.00
Two Jailors at \$4,286.00	8,572.00
Dieting Prisoners and Expenses	15,000.00

The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day.

The County Board of Spartanburg County is hereby directed to formulate plans for the operation of the County Jail pertaining to the purchasing of all food and supplies and the payment of bills. Such expenditures shall be paid out of the above appropriation for dieting and expenses.

Provided, the Sheriff is authorized and directed to manage and control the County Jail.

Provided, further, the Sheriff shall have custody and control of all prisoners in the County Jail.

Medicine, County Jail	600.00
-----------------------------	--------

Total, Section (B)	28,779.00
--------------------------	-----------

(C) Coroner's Office

Salary, Coroner	3,800.00
Official expenses	400.00
Travel	600.00
Coroner's Jury	1,500.00
Burial of Paupers	500.00
No pauper's coffin shall exceed twenty dollars.	
Post Mortems	1,500.00

No physician shall be paid in excess of fifteen dollars for an autopsy or five dollars for a post mortem.

Total, Section (C)	8,300.00
--------------------------	----------

(D) Magistrates and Constables

Thirteen Magistrates at \$1,200.00 each	15,600.00
Expenses, \$300.00 each	3,900.00

Thirteen Constables for the County Magistrates at \$600.00 each per year 7,800.00

Each Magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriations act for Spartanburg County. In addition to the salaries appropriated in the annual appropriations act for Spartanburg County, the constable for each Magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Sections 43-1017 and 43-1018, Code of Laws of South Carolina, 1952, as amended by Act No. 276 of the Acts of 1953.

Total, Section (D)	27,300.00
(E) Parole-Probation	
Senior Clerk (C)	3,294.00
<i>Provided, this appropriation for Parole-Probation Clerk shall be reduced to the extent of any revenue from the State or any other source applicable to this work.</i>	
Total, Section (E)	3,294.00
TOTAL, ITEM 3	\$294,924.96

ITEM 4. ROADS AND BRIDGES

Total appropriations for this item are as follows:

Salaries:

Supervisor	\$ 7,122.50
Clerk	4,150.00
1 Diesel Mechanic	3,932.50
2 Truck Mechanics at \$3,932.50	7,865.00
1 Elec. Welder	4,690.40

1 Tire and Yard Man	3,667.95
1 Warehouseman	2,599.74
1 Bridge Foreman	4,690.40
1 Asst. Bridge Foreman	3,281.56
5 Camp Foremen at \$3,718.00	18,590.00
10 Truck Drivers at \$3,281.56	32,815.60
1 Machine Operator at \$3,718.00	3,718.00
13 Machine Operators at \$3,281.56	42,660.28
3 Machine Operators at \$2,995.56	8,986.68
1 Guard at \$2,786.78	2,786.78
17 Guards at \$2,599.74	44,195.58
8 Guards at \$2,475.90	19,807.20
1 Supt. Surf. Dept.	4,690.40
5 Extra Week End Guards	2,788.35

\$223,038.92

Dieting Prisoners:

Average number of prisoners, 200 28,000.00

Clothing Prisoners:

Stripes, shoes, sox, underwear, jackets,
blankets, mattress covers, sheets, and towels .. 12,000.00
Doctors and Medicine 2,468.94

Provided, the County Health Department is
directed to do the dental work of the prisoners
of the County Highway Department.

Supplies:

Includes tires, tubes, recapping, disinfectants,
matches, smoking and chewing tobacco, soap,
soap powder, cleaning compound, mops,
brooms, signs, sledge hammers, nails, picks,
shovels, axes, swing blades, beds and mat-
tresses 38,000.00

**Repairs to Machinery, Equipment, Trucks and
Cars:**

Includes 50 pieces of heavy equipment and
machinery, 65 trucks and 3 cars 55,000.00
Gasoline, Motor Oil, Fuel Oil, Diesel Oil and
Grease 50,000.00
Office Supplies 750.00

Shop and Yard Expense:

Includes supplies and maintenance for truck
repair shop, blacksmith shop and welding shop 10,000.00

S. C. Sales Tax :

Additional sales tax not charged on invoices by out-of-state companies	500.00
Bridge Lumber	10,000.00

Miscellaneous Expense:

Liability Ins., License tags, power, water, telephone, expense conveying prisoners, Work- men's Compensation Inc., and freight	12,000.00
Clothing allowance for employees	4,950.00

Provided, no employee shall receive in excess
of \$75.00 per annum.

Motor grader patrol	18,000.00
Business machine for payroll and posting ...	5,300.00

The remainder of the county's share of the
gasoline tax received from the State, after
using so much thereof as shall be necessary
to pay interest and principal installments
coming due from the fiscal year 1961-1962 on
bonds issued or to be issued providing for
road surface treatments for the county, shall
go into the general funds of Spartanburg
County. The road tax shall also go into the
general funds of the county. The above appro-
priation is inclusive of the gas tax and the
road tax. The County Board shall have the
the right and authority and it shall be its duty
to allocate, segregate and set apart and use or
cause to be used so much of the sum appro-
priated above as they deem wise for the pur-
pose of grading and preparing highways and
expenses incident thereto for surface treat-
ment. The County Board may, by written
agreement, use a reasonable amount of any
appropriation for Highway Department to
match or secure any Federal aid available for
highway work but such authority is not con-
strued to affect, in any way, the operations
and carrying out of the details provided for
under the respective appropriations made for
the department; but such authority is given

in order that funds or grants may be received as a supplement to the items appropriated for.
Emergency Appropriation 20,000.00

Provided, this appropriation is for the purchase of bridge material and culverts. *Provided*, further, this is a non-recurring appropriation.

Any balances unexpended in the accounts of the County Highway Department on June 30, 1961, may be used to purchase stone, asphalt, culverts and bridge material.

Road Improvement Bonds for year ending June 30, 1962:

Principal	\$255,000.00
Interest	51,800.00
Bank Commission	404.82

Total	<u>\$307,204.82</u>
-------------	---------------------

TOTAL, ITEM 4	<u>\$490,007.86</u>
---------------------	---------------------

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) Charity Hospitalization

1. Spartanburg General Hospital Charity Patients \$375,000.00

Provided, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. The above appropriation shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of

the trustees of the Spartanburg General Hospital. The trustees of the Spartanburg General Hospital may enter into an agreement with the radiologist in charge of that department for directing its work and interpreting X-ray pictures of charity patients at an annual salary not to exceed \$25,000.00.

Spartanburg General Hospital Charity Investigation Office 15,000.00

Provided, expenditures for the Spartanburg General Hospital Charity Investigation Office and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the board of control.

General Hospital Bonds for year ending June 30, 1962:

Principal	\$ 99,725.25
Interest	52,271.90
Bank Commission	248.29

\$152,245.44

2. Spartanburg T. B. Hospital 136,000.00

All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act. Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct. Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

3. Spartanburg County Tuberculosis Association
There is hereby appropriated a sum not to

exceed five thousand dollars for an X-ray motor service operation	5,000.00
--	----------

Total, Sections (a) 1, (A) 2, and (A) 3	531,000.00
--	------------

(B) County Health Department

Salaries, Travel and Incidentals	79,507.00
--	-----------

Meat and Milk Inspections	12,000.00
---------------------------------	-----------

Salary adjustments 6%	4,380.00
-----------------------------	----------

95,887.00

Retirement and Social Security for the fiscal year ending June 30, 1962	5,040.00
--	----------

(\$12,000 x 7%—\$840.00)	840.00
--------------------------------	--------

(\$4,380 x 7%—\$306.00)	306.00
-------------------------------	--------

6,186.00

Dental Health Work	12,500.00
--------------------------	-----------

Rabies Control Program	5,000.00
------------------------------	----------

Insect and Rodent Control Program	7,500.00
---	----------

Auxiliary Health Centers	6,000.00
--------------------------------	----------

T. B. Drugs	1,000.00
-------------------	----------

All duties pertaining to the inspection of meat and milk as set forth in the regulations of the State Board of Health shall be performed by the County Health Department for Spartanburg County, including Spartanburg City.

Provided, further, the County Board of Health may accept funds from other private or government agencies to employ staff for the purpose of providing additional public health services requested by those agencies.

Health Centers—Bonds for year ending June 30, 1962:

Principal	\$ 5,000.00
-----------------	-------------

Interest	3,150.00
----------------	----------

Bank Commission	14.00
-----------------------	-------

\$ 8,164.00

Total, Section (B)	134,073.00
--------------------------	------------

(C) Department of Public Welfare	
Travel for Child Welfare Workers	2,520.00
Children's Fund for Boarding Home Care, Medical, dental and other basic needs	9,000.00
Special Emergency Fund	12,000.00
Twelve hundred dollars of the above appropriation shall be spent only with the advice and consent of the Children's Court.	
Supplement County Director and Six Supervisors @ \$40.00 each per month	2,880.00
Supplement for Staff Members other than Supervisor (36 workers—\$15.00 each per mo.)	6,480.00
Social Security and Retirement	628.00
<i>Provided</i> , that the County supplements shall be reduced at the time and in the amount that the State shall increase its remuneration for salary and wages to the Supervisors and Staff members.	
Office and Incidental Expenses	500.00
<hr/>	
Total, Section (C)	34,008.00
Federal funds received by virtue of the county supplying office space to the Department of Public Welfare may be retained by the department subject to disposition upon recommendation by a majority of the county delegation. <i>Provided</i> , that twelve hundred dollars of such funds shall be paid to the county to defray the cost of telephone services furnished by the county.	
(D) County Home	
Maintenance and Improvements	1,500.00
Care of Aged, Indigent and Chronically Ill . .	50,000.00
The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of the above appropriation for the care of the	

aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.

County Home Bonds for year ending June 30, 1962:

Interest	\$	550.00
Bank Commission		1.36
	\$	551.36

Total, Section (D)	51,500.00
--------------------------	-----------

(E) Mental Hygiene Clinic

Operating Expenses, year ending June 30, 1962	12,310.78
---	-----------

Provided, this appropriation shall be expended only for Mental Hygiene work in Spartanburg County.

Total, Section (E)	12,310.78
--------------------------	-----------

(F) County Service Officer

County Service Officer	5,500.00
Travel—Service Officer	1,000.00
Secretary (F)	2,090.00
Office expenses	300.00

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse.

Any unused funds in the appropriation for the fiscal year ending June 30, 1962, shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay the above appropriations, the excess shall be paid out of the general county funds. The County Service Officer shall be paid seven cents a mile for the number of miles traveled on official business upon an itemized sworn statement submitted to the County Board.

Woodruff Service Officer	500.00
Chesnee Service Officer	500.00
Inman Service Officer	500.00
<hr/>	
Total, Section (F)	10,390.00
(G) Speech and Hearing Clinic	2,500.00
<i>Provided</i> , this appropriation is made upon the specific condition that all revenue and contributions to the said Clinic for the fiscal year ending June 30, 1962, shall be no less than the total receipts for the fiscal year ending June 30, 1961, exclusive of this appropriation. Otherwise this appropriation is null and void.	
<hr/>	
Total, Section (G)	2,500.00
<hr/>	
TOTAL, ITEM 5	\$775,781.78

ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) County Farm Agent's Office	
County Farm Agent	\$ 1,260.00
Assistant County Farm Agents, (3) at \$300-.00 each	900.00
Stenographer	600.00
County Extension Office, Supplies	300.00
4-H Club Calf Chain	1,000.00
F.F.A. Calf Chain	1,000.00
Boys' and Girls' 4-H Club	300.00
Colored:	
County Agent	600.00
Home Demonstration Agent—Salary	850.00
Home Demonstration Agent—Supplies and Materials	200.00
Agricultural Agent—Supplies and Materials	200.00
Clerical Help	2,100.00
4-H Club Expenses	400.00
4-H Club Calf Chain	250.00
F.F.A. Calf Chain	250.00
<hr/>	
Total, Section (A)	10,210.00

(B) Forestry	
Wardens, three at \$35.00 a month each	1,260.00
Towerman, one at \$15.00 a month	180.00
Tractor Driver, one at \$10.00 a month for 8 months	80.00
Ranger, one at \$40.00 a month	480.00
Forestry and park needs	500.00
Total, Section (B)	2,500.00
TOTAL, ITEM 6	\$ 12,710.00
ITEM 7. PUBLIC BUILDINGS	
(A) Department of Maintenance	
Superintendent, Maintenance	\$ 4,048.00
Foreman	2,962.97
Foreman	2,962.97
Foreman	2,962.97
Carpenter	3,150.77
Janitor Service	14,600.00
Supplies	4,047.53
Repairs and Miscellaneous Services	5,800.00
Utilities (heat, lights, etc.)	20,300.00
Total, Section (A)	60,835.21
(B) Insurance	7,250.00
Total, Section (B)	7,250.00
TOTAL, ITEM 7	\$ 68,085.21
Courthouse and Jail Bonds for year ending June 30, 1962:	
Principal	\$132,274.75
Interest	57,879.35
Bank Commission	285.82
	\$190,439.92
ITEM 7A. SPARTANBURG MEMORIAL AUDITORIUM	
Spartanburg Memorial Auditorium Commission, Maintenance and Upkeep	\$ 6,000.00

Provided, this sum is appropriated contingent upon the appropriation by the City of Spartanburg of an equal amount for maintenance and upkeep.

Spartanburg Memorial Auditorium Bonds for year ending June 30, 1962:

Principal	\$ 30,000.00
Interest	4,875.00
Bank Commission	42.19
	<hr/>
	\$ 34,917.19

TOTAL, ITEM 7A	\$ 6,000.00
----------------------	-------------

ITEM 7B. SPARTANBURG COUNTY LIBRARY

Spartanburg County Library	\$ 22,361.30
----------------------------------	--------------

This appropriation is for maintenance and operation of the Spartanburg County Library and the purchase of books. Further, this appropriation is in addition to the one mill tax levy as now provided for the Library.

Spartanburg County Library Bonds for year ending June 30, 1962:

Principal	\$ 20,000.00
Interest	19,875.00
Bank Commission	73.00

\$ 39,948.00

Provided, that in the event that Spartanburg County Library becomes part of a Regional Library such additional qualifying funds may be paid out of the General Funds of the County upon approval of a majority of the delegation, including the senator.

TOTAL, ITEM 7B	\$ 22,361.30
----------------------	--------------

ITEM 8. MISCELLANEOUS APPROPRIATIONS

City of Greer	\$ 200.00
---------------------	-----------

This appropriation is to be used for Greer Public Library for the benefit of citizens of Spartanburg County.

Y.M.C.A. for Summer Camp	1,500.00
Volunteer Fire Departments	12,000.00

The sum of \$500.00 is hereby appropriated to each Volunteer Fire Department in Spartanburg County which is a member of the South Carolina Firemen's Association which is recognized and classified by the Southeastern Underwriters Association.

National Guard Units: .

Spartanburg City	500.00
Spartanburg City	500.00
Spartanburg, Medical	500.00
Lyman (1)	500.00
Lyman (2)	500.00
Woodruff	500.00
Inman	500.00
Inman	500.00
Pacolet	500.00
Greer	300.00
Inman Armory	1,000.00
Woodruff Armory	500.00

Provided, an equal amount shall be contributed from other sources.

The appropriation for Greer is contingent upon Greenville County paying an equal amount.

Delegation Transferable Fund	7,500.00
County Planning and Development Board for industrial development and implementing the Fantus Report	15,000.00

Provided, this appropriation is available upon the passage of this act.

The funds herein provided shall be expended by the County Board of Spartanburg County.

Registration Board	2,800.00
Travel, Registration Board	600.00
Civil Air Patrol, for maintenance and operation of planes and motor equipment	800.00
Spartanburg Planning and Development Board	2,500.00

Additional for Special Tax Collector for year
ending June 30, 1961 443.27

Civil Defense 5,000.00

Provided, the City of Spartanburg makes an equal amount available for Civil Defense; and *provided*, further, the County Chairman of the Civil Defense organization selected pursuant to Section 5 of Act No. 888 of the Acts of 1958 shall set forth in the defense plan a detailed budget with respect to all funds that become available to the county for Civil Defense purposes. The financial proposals contained in the defense plan so submitted shall not be effective unless approved by the Legislative Delegation, including the Senator, and the mayors of the municipalities within the county. The funds above provided for shall be paid in such manner as provided for in the defense plan, and if the Legislative Delegation, by majority recommendation, has reason to believe that there has been a failure to expend funds in accordance with the terms and conditions contained in such plan, the County Board shall be notified of the delegation's recommendation, whereupon such payments shall cease until the failure to properly expend funds has been corrected.

TOTAL, ITEM 8 \$ 54,643.27

ITEM 9. BONDS AND INTEREST

Ordinary County Bonds \$287,000.00

Interest 138,601.25

Commission 664.66

\$426,265.91

Interest—County and School Expense Notes,
and expense on bonds 16,000.00

TOTAL, ITEM 9 \$442,265.91

Any surplus on hand at the close of any fiscal year or period shall be applied to the payment of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1962 principal and interest payments.

TOTAL, ITEMS 1-9\$2,615,417.16

SECTION 2. The County Board of Spartanburg County is hereby directed to pay out of the general funds of the county travel expense at the rate of seven cents per mile for miles traveled in the performance of duties of all county boards and commissions which do not receive any compensation for services.

SECTION 3. The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the purchase of calves from the appropriation of calf chains as it deems necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

SECTION 4. The board of assessors and equalization for outside the city shall be paid ten dollars each per day and seven cents per mile one trip.

SECTION 5. The appropriations in the annual appropriations act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations, and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law. All interest earned from funds invested in securities by the county treasurer and all interest on delinquent taxes shall be credited to the general funds of the county by the county treasurer.

SECTION 6. It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However,

the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

SECTION 7. The balances shown to the credit of the following departments for the fiscal year ending June 30, 1961, are hereby authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1961-1962, for necessary maintenance and operations: County Home and County Home Nursing, County Farm, Public Buildings, for paint and materials, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library. The Appropriation balance for the Block Map System on June 30, 1961, shall be carried forward for the fiscal year ending June 30, 1962, and shall be expended upon the authorizations of a majority of the Legislative Delegation, including the Senator, in the said majority. The balance on hand on June 30 1961, of the Planning and Development Commission shall be carried forward to the fiscal year 1961-1962.

SECTION 8. The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the offices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1962. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids; *provided*, however, final acceptance of a bid shall be subject to the approval of a majority of the county delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county.

The County Board of Spartanburg County is authorized to investigate and make recommendations to the county delegation concerning any deficiencies in any department of Spartanburg County.

SECTION 9. For the court of general sessions and county criminal court there shall be not more than three bailiffs, who shall receive not in excess of ten dollars each per day. For the court of common pleas and county civil court there shall be not more than two bailiffs, who shall receive not in excess of ten dollars per day. Jurors for the

circuit court and the county court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the sheriff a court crier who shall act also as a bailiff at all terms of court. Jurors of the coroner's jury shall receive three dollars each per day.

SECTION 10. Any bonds authorized to be issued or to be authorized to be issued on which any maturities of interest and principal comes due within the fiscal year ending June 30, 1961, and for June 30, 1962, payment of same is hereby authorized out of the general funds of Spartanburg County. *Provided*, the payments of such maturities are specified to be paid out of the county levy in the respective bond acts.

SECTION 11. Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint city-county radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

SECTION 12. Expenditures from the Delegation Transferable Fund and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

SECTION 13. The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all employees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

- Spartanburg General Hospital, including Woodruff Hospital
- County Highway Department
- Spartanburg Tuberculosis Hospital
- County Health Department
- The County Board of Spartanburg County
- Spartanburg County Library

SECTION 14. The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all county employees on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on business of the county, at the rate of seven cents per mile. The

board is authorized to prescribe such further rules and forms as will carry out the purposes of this section. *Provided*, the amount paid out by the county board shall not exceed the amount provided by the terms of this act. *Provided*, the travel expense appropriated for the sheriff, the coroner, the superintendent of education, the deputy sheriff and the chief of rural police shall be disbursed by the County Board of Spartanburg County without the foregoing requirements of an itemized statement.

SECTION 15. The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the certification of any record. The special auditor is required to audit only the records of the general hospital kept by the county. For persons born in Spartanburg County since January 1, 1915, certificates of birth are to be issued on a similar basis as the State Board of Health issues certificates. For persons born prior to January 1, 1915, only persons born in Spartanburg County may register their birth with the Vital Statistics Department, and in addition to the items listed in the Code of 1952, documentary proof of age and place of birth must be submitted, and such evidence must be over five (5) years old. The above provisions are in addition to the regulations now effective.

SECTION 16. The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County. Salary adjustments in accordance with salary schedule are to become effective from the date of employment, and any increase shall be paid out of the general funds of the County.

SECTION 17. In all instances wherein a Federal agency occupies space in any public building owned by Spartanburg County, and all of its administrative or operating costs may be paid by the Federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space occupied by such agency, the same to be applied to the maintenance and utility costs of such public building. Further, in all instances wherein a State, area, district or county association, committee, board or organization may receive, either directly or indirectly, all of its administrative or op-

erating costs from the Federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space the agency, association, committee, board or organization occupies in the public building. The above stated amount shall be charged and collected if the entire administrative or operating costs of the agency, association, committee, board or organization may be ultimately borne by the Federal government or any department thereof, and without regard to who actually administers the Federal funds at any stage. The above charges and collections shall commence on July 1, 1961, and be collected either monthly or quarterly. *Provided*, the County Board is authorized to provide rules and regulations governing the occupancy of the new courthouse and the use of the county courthouse parking lots.

SECTION 18. Each and every official and employee of Spartanburg County is prohibited from receiving any compensation or reimbursement whatsoever from any individual, person, firm or corporation in addition to the amounts appropriated or provided for in this act.

The County Board of Spartanburg County subject to the same limitations as are imposed upon the purposes for which taxes may be levied or bonds issued by Article X, Section 6 of the Constitution, is authorized and directed to make any contracts deemed necessary and advisable for the furnishing of services, information, use of equipment, labor of officials and employees and materials to such persons or agencies as may be determined from time to time by the county board. The charges for such shall not be less than the actual costs to the county for service, time involved, materials and use of equipment as may be determined by the county board. *Provided*, however, the county board shall not contract to furnish any service that was not being furnished on the effective date of this act without prior approval of the majority of the county legislative delegation.

Each and every county official and employee is hereby authorized and directed to comply with and perform any such contracts and agreements as may be entered into by the county board from time to time.

This provision shall apply when any county records or information and the time of any official or employee is used or furnished.

All revenue from all work, materials, and use of equipment authorized by the county board shall be remitted to the county treas-

urer and credited by the county treasurer to the General Fund of Spartanburg County.

SECTION 19. Any balance of funds left in the Building Account of the Spartanburg County Library may be spent by the Spartanburg County Library Board to purchase books for the library. This section shall become effective immediately upon the passage of this act.

SECTION 20. In the event any employee whose salary is fixed by this act vacates his or her employment, by retirement, resignation, death or any other reason, the head of the department where such vacancy occurs must appear before the County Board of Control and justify the need for continuing such employment itself and its classification. The County Board of Control must give approval in writing before such vacancy can be filled.

SECTION 21. The county board shall not employ any expert or contract to pay for any study or survey without approval by a majority of the county legislative delegation.

SECTION 22. The County Board of Control is hereby authorized and directed to execute and deliver a deed or deeds under such terms and conditions as the Legislative Delegation may approve in writing, to all of that real estate now occupied and used by the Spartanburg County Freezer Locker Plant and/or the Spartanburg Curb Market, which properties are located on the Asheville Highway and Kennedy Street, respectively. The funds so received shall be placed in the Special Fund with the County Farm Land money.

SECTION 23. There shall be filed in the office of the County Board of Spartanburg County eighteen copies of the minutes of each agency and department of Spartanburg County. Copies shall be made available for each member of the Legislative Delegation at the County Board office, Spartanburg, S. C.

SECTION 24. Section 14-3343, Code of Laws of South Carolina, 1952, and all acts or parts of acts inconsistent herewith are repealed.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R676, H1952)

No. 655**An Act To Provide For Deposit Of Certain School Taxes In Spartanburg County And To Further Provide For The Tax Levy In Greer School District 9H Of Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greer School District 9H in Spartanburg County—taxes—deposit of.—That all funds collected and to be collected and penalties on same for 1960 taxes from the countywide thirteen-mill levy in Greer School District 9H in the Spartanburg Sector shall be deposited in a special bank account and shall be kept in the bank until legally disposed of and distributed.

SECTION 2. Tax levy not to exceed Greenville County Sector.—The levy of taxes for school purposes in the Spartanburg Sector of Greer School District 9H for all school purposes shall not exceed the levy in the Greenville County Sector of the district.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R678, H1912)

No. 656**An Act To Amend Section 9 Of Act No. 252 Of The Acts Of 1941, Relating To Charity Patients At The Spartanburg General Hospital, So As To Further Provide For The Admission Of Such Patients, And To Provide For The Employment Of A Hospital Charity Investigator For Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 9 of Act 252 of 1941 amended—charity patients—employ charity investigator.—Section 9 of Act No. 252 of the Acts of 1941 is amended by striking it out in its entirety and inserting in lieu thereof the following:

“Section 9. The County Board of Spartanburg County shall establish such rules, regulations and criteria governing the admission, free

of charge, of charity patients in such number as the Spartanburg General Hospital may be able to adequately provide for. A copy of such rules, regulations and criteria, including any amendments or additions thereto, shall be filed within thirty days of their adoption or of the effective date of this act as a public record with the Clerk of Court of Spartanburg County.

The County Board of Spartanburg County shall employ a hospital charity investigator. His duties shall be prescribed by the County Board and shall include certification of approval to the board of trustees of all payments for charity patients. This certification shall be based upon the investigator's personal or supervised investigation and shall be in accord with such rules, regulations and criteria as may be established by the board. The hospital charity investigator's office shall be located in the Spartanburg County Courthouse and he shall receive such compensation as may be set in the annual Spartanburg County Appropriations Act."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R198, S250)

No. 657

An Act To Amend Act No. 1134 Of The Acts Of 1960, Creating The Lynchburg-Shiloh Watershed Conservation District In Sumter And Lee Counties, So As To Include Within The District Certain Of The Lands Within The Atkins Drainage District In Lee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 1134 of 1960 amended—area added to district.—Section 2 of Act No. 1134 of the Acts of 1960 is amended by adding at the end thereof the following :

"Provided, that the lands within the Atkins Drainage District in Lee County which naturally drain into any of the foregoing swamps shall be included in the district."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R526, H1953)

No. 658

An Act To Permit And Authorize The Trustees Of School District No. 17 Of Sumter County To Use Not Exceeding Forty Thousand Dollars Of Surplus Sinking Funds For School Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter County School District 17 may use surplus funds.—The Trustees of School District No. 17 of Sumter County are hereby authorized and empowered to expend not exceeding forty thousand dollars of surplus sinking funds held by the school district derived from a previously authorized bond issue maturing during the year 1969, such expenditure to be made solely for the purpose of eliminating fire and health hazards in Central, Washington and Hampton Elementary Schools.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R668, H1845)

No. 659

An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1961; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter so much as may be necessary, but not in excess of fourteen mills, for general county purposes.

Item 1. Roads and Bridges :

A-70 General Fund—Roads and Bridges Dept.	\$ 75,000.00
A-72 Salary—County Engineer	9,000.00
A-73 Salary—Road Superintendent	7,000.00
A-75 Salary—Yard Superintendent	3,780.00
A-80 Salaries—Gang Guards and other employees ..	50,035.50
A-85 Purchase new Machinery and Equipment	10,000.00
A-90 Gang Buildings—Repair and Upkeep	1,000.00

TOTAL, ITEM 1—ROADS AND
BRIDGES\$155,815.50

Item 2. Public Buildings :

A-101 Repairs and Maintenance of Buildings	\$ 5,000.00
A-102 Furniture, Fixtures, Office Equipment Purchase	2,500.00
A-103 Repairs and Maintenance—Furniture, Fixtures, etc.	800.00
A-104 Insurance—Storm, Fire, Explosion, etc.	3,500.00
A-105 Water, Lights, Sanitary Supplies, etc.	8,000.00
A-106 Salary—Maintenance Supervisor	4,200.00
A-109 Special Janitor Services	100.00
A-110 Care of Public Grounds	600.00

TOTAL, ITEM 2—PUBLIC BUILDINGS ..\$ 24,700.00

Item 3. Court Costs :

A-120 Jury Pay and Court Expense	\$ 8,000.00
A-121 Court Stenographer Supplies	20.00

Total, Court Costs

Clerk of Court :

A-125 Salary—Clerk of Court	\$ 7,500.00
A-126 Salary—Deputy Clerk of Court	4,920.00
A-127 Salary—Clerk I to Clerk of Court	3,276.00

A-128	Salary—Clerk II to Clerk of Court	2,520.00
A-129	Salary—Clerk II to Clerk of Court	2,520.00
Total—Clerk of Court		\$ 20,736.00
Coroner:		
A-140	Salary—Coroner	\$ 2,100.00
A-145	Coroner's Juries, Inquests, etc.	2,000.00
Total—Coroner		\$ 4,100.00
Magistrates:		
A-150	Salary—Magistrate 3rd District	\$ 3,720.00
A-151	Salary—Clerk I to Magistrate	3,024.00
A-154	Salary—Magistrate 8th District	1,200.00
A-155	Salary—Other 6 Magistrates	9,360.00
Total—Magistrates		\$ 17,304.00
Master:		
A-160	Office Rent—Master	\$ 240.00
Total—Master		\$ 240.00
Probate Judge:		
A-165	Salary—Clerk II to Probate Judge	\$ 2,835.00
Total—Probate Judge		\$ 2,835.00
Lunacy Examinations:		
A-175	Mental Health Examinations and Transportation	\$ 3,000.00
Total—Lunacy Examinations		\$ 3,000.00
Civil and Domestic Relations Court:		
A-180	Salary—Judge, Civil and Domestic Relations Court	\$ 9,500.00
A-182	Salary—Probation Counsellor	4,920.00
A-183	Travel—Probation Counsellor	900.00
A-186	Salary—Clerk I, Civil and Domestic Relations Court	1,890.00
A-187	Salary—Clerk II, Civil and Domestic Relations Court	2,835.00

A-191 Court Expense—Civil and Domestic Relations
Court \$ 3,500.00

Total—Civil and Domestic Relations Court ... \$ 23,545.00

Jail:

A-200 Jail—Food only \$ 6,000.00
A-200A Jail—Maintenance and Supplies 3,500.00
A-201 Salary—Jailer 3,339.00
A-203 Salary—Assistant Jailer 2,898.00

Total—Jail \$ 15,737.00

TOTAL, ITEM 3—COURT EXPENSES... \$ 95,517.00

Item 4. Poor and Needy:

A-210 Relief—General and Emergency \$ 500.00
A-211 Charity Coffins 2,400.00
A-212 Child Health and Welfare 1,200.00

Total—Emergency Relief \$ 4,100.00

Department of Public Welfare:

A-220 Department of Public Welfare—Emergency
Fund \$ 600.00
A-222 Travel—Child Welfare Worker 500.00

Total—Department of Public Welfare \$ 1,100.00

Hospitalization:

A-225 Hospitalization—Tuomey only \$ 35,000.00
A-226 Certification by Department of Public Welfare 2,000.00
A-228 Outpatients—Other Hospitals and Nursing
Homes 3,500.00

Total—Hospitalization \$ 40,500.00

Tuberculosis:

A-232 Florence-Darlington Tuberculosis Sanitorium... \$ 2,000.00
A-235 Pneumothorax—TB Outpatients and Medicines 750.00

Total—Tuberculosis \$ 2,750.00

Nursing Center:

A-241	Recreation and Nursing Center	\$	240.00
-------	-------------------------------------	----	--------

Total—Nursing Center	\$	240.00
----------------------------	----	--------

Charity School Clothing:

A-244	Clothing—Needy School Children	\$	1,500.00
-------	--------------------------------------	----	----------

Total—Charity School Clothing	\$	1,500.00
-------------------------------------	----	----------

Health Department:

A-247	County Health Department	\$	31,500.00
-------	--------------------------------	----	-----------

A-248	Pharmaceuticals		100.00
-------	-----------------------	--	--------

Total—Health Department	\$	31,600.00
-------------------------------	----	-----------

County Service Officer:

A-250	Part Salary—County Service Officer	\$	600.00
-------	--	----	--------

A-252	Part Salary—Stenographer to Service Officer ..		960.00
-------	--	--	--------

Total—County Service Officer	\$	1,560.00
------------------------------------	----	----------

Children's Orphanages & Home Care:

A-260	Children's Home—Trustee Account	\$	527.50
-------	---------------------------------------	----	--------

Total—Children's Home	\$	527.50
-----------------------------	----	--------

Pensions:

A-270	Confederate Widows' Pension (2)	\$	900.00
-------	---------------------------------------	----	--------

Total—Pensions	\$	900.00
----------------------	----	--------

TOTAL, ITEM 4—POOR AND NEEDY ...	\$	84,777.50
----------------------------------	----	-----------

Item 5. Law Enforcement:

A-275	Salary—Sheriff	\$	7,500.00
-------	----------------------	----	----------

A-276	Auto Expense—Sheriff		1,500.00
-------	----------------------------	--	----------

A-277	Chief Deputy Sheriff, Salary		3,997.50
-------	------------------------------------	--	----------

Chief Deputy Sheriff, Expense		2,940.00
-------------------------------------	--	----------

A-278	Asst. Chief Deputy Sheriff, Salary		3,780.00
-------	--	--	----------

Asst. Chief Deputy Sheriff, Expense		2,940.00
---	--	----------

A-285	Other 8 Deputies—Salary (\$305.00 mo.)		29,280.00
-------	--	--	-----------

Expense (\$235.00 mo.)		22,560.00
------------------------------	--	-----------

A-290	Extra Police Help		800.00
-------	-------------------------	--	--------

A-292	Salary—Clerk II to Sheriff		2,520.00
-------	----------------------------------	--	----------

A-295 Extra Help—Sheriff's Office	720.00
A-298 Uniforms & Supplies	2,500.00
A-299 Arms, Ammunition, Schools, Tech. Supplies ...	1,000.00
A-301 Rural Police Radio Service	3,000.00
A-302 Transportation of Prisoners	1,000.00
A-303 Secret Service & Rewards	1,000.00
A-304 Police Insurance & Annuity Fund	12,000.00

Total—Sheriff

\$ 99,037.50

Solicitor :

A-310 Expense—Solicitor	\$ 600.00
A-311 Salary—Clerk II to Solicitor	2,625.00

Total—Solicitor

\$ 3,225.00

Probation Office :

A-313 Office Expense—Probation Officer	\$ 100.00
--	-----------

Total—Probation Office

\$ 100.00

County Attorney :

A-315 Salary—County Attorney	\$ 900.00
A-316 Legal Expense—County Attorney	2,000.00

Total—County Attorney

\$ 2,900.00

TOTAL, ITEM 5—LAW ENFORCEMENT \$105,262.50

Item 6. Administration :

A-320 County Board of Commissioners—Salary & Travel	\$ 7,000.00
A-323 Salary—Clerk to County Board	6,500.00
A-325 Salary—Bookkeeper & Asst. Clerk to Board ...	3,780.00
A-330 Contingent Fund—County Board	1,500.00

Total—County Board of Commissioners

\$ 18,780.00

Auditor's Office :

A-335 Part Salary—Auditor	\$ 3,000.00
A-336 Salary—Clerk I (Deputy Auditor)	3,780.00
A-337 Salary—Clerk II to Auditor	2,646.00
A-338 Salary—Clerk II to Auditor	2,562.00

A-340	Extra Help—Auditor's Office	3,600.00
A-341	Per Diem—Tax Assessor's and Appeal Board..	3,000.00

Total—Auditor's Office \$ 18,588.00

Treasurer's Office:

A-344	Part Salary—Treasurer	\$ 3,000.00
A-346	Salary—Clerk I to Treasurer	3,003.00
A-347	Salary—Clerk II to Treasurer	2,520.00

Total—Treasurer's Office \$ 8,523.00

Tax Collector:

A-355	Salary—Tax Collector	\$ 5,100.00
A-355A	Mileage—Tax Collector	650.00
A-356	Salary—Clerk I (Asst. Tax Collector)	3,024.00
A-357	Salary—Clerk II to Tax Collector	2,646.00
A-360	Salary & Mileage—Tax Collection Rider	8,000.00
A-363	Extra Help—Tax Collector's Office	250.00
A-364	Tax Warrant Service Fees to Police	500.00

Total—Tax Collector's Office \$ 20,170.00

TOTAL, ITEM 6—ADMINISTRATION .. \$ 66,061.00

Item 7. Miscellaneous County Accounts:

A-370	Telephone & Telegraph	\$ 5,000.00
A-371	Postage, Stationery, Office Supplies	11,000.00
A-372	General Election Expense	200.00
A-374	Annual Audit	3,200.00
A-375	Advertising Tax Sales, Bids, Reports, etc.	500.00
A-376	Part Salary—Vital Statistics Clerk	2,400.00
A-377	Employees' Group Insurance Premiums	3,200.00
A-380	Officials' & Employees' Bond Premiums	850.00
A-382	Workmen's Compensation Premium Tax	450.00
A-383	State Retirement—County's Share	9,500.00
A-384	Social Security—County's Share	7,600.00
A-385	Rabies Control—Warden's Salary and Expense	1,000.00
A-387	Sumter Chamber of Commerce	1,000.00
A-388	City Planning Commission	1,000.00
A-389	Sumter County Development Board	5,000.00

A-390 Maintenance—Sumter City Streets	50,000.00
A-391 Rent—Industrial Commission Quarters	150.00

TOTAL, ITEM 7—MISCELLANEOUS
COUNTY ACCOUNTS\$102,050.00

Item 8. National Defense

A-392 Sumter Armory Maintenance	\$ 1,000.00
A-393 U. S. Naval Reserve Unit 6-22	250.00
A-394 Rent—111 N. Harvin St.	450.00
A-395 Armed Services YMCA	990.00

TOTAL, ITEM 8—NATIONAL DEFENSE.\$ 2,690.00

Item 9. Insect & Pest Control:

A-397 Sumter County fly & Mosquito Control	\$ 4,400.00
A-398 City DDT Campaign	1,500.00

TOTAL, ITEM 9—INSECT & PEST CON-
TROL\$ 5,900.00

Item 10. Education:

A-402 Per Diem—County Board of Education	\$ 570.00
A-405 Salary—Superintendent of Education	1,870.00
A-406 Salary—Clerk II to Superintendent of Educa- tion	2,961.00
A-407 Salary—School Attendance Supervisor	1,704.00
A-408 Salary—Clerk II to Attendance Supervisor ...	2,961.00

Total—Superintendent of Education\$ 10,066.00

Future Homemakers of America:

A-412 Future Homemakers of America—Camp & Su- pervisor	\$ 200.00
---	-----------

Total—Future Homemakers of America\$ 200.00

Home Demonstration Agent:

A-415 Part Salary—Home Demonstration Agent	\$ 120.00
A-416 Part Salary—Asst. to Home Demonstration Agent	120.00
A-417 Salary—Stenographer to Home Demonstration Agent	1,380.00
A-418 Home Demonstration Supplies	125.00

A-419	Women's Home Club	50.00	
A-420	Sumter County Council of Farm Women	100.00	
	Total—Home Demonstration Agent	\$ 1,895.00	
	County Farm Agent:		
A-430	Part Salary—Farm Agent	\$ 1,840.00	
A-431	Part Salary—Asst. Farm Agent	540.00	
A-432	Part Salary—Asst. Farm Agent No. 2	1,600.00	
A-433	Part Salary—Stenographer to Farm Agent	1,380.00	
A-435	Travel—Farm Business Research	200.00	
A-436	White Farm Agent—Long Distance Telephone Expense	150.00	
	Total—County Farm Agent	\$ 5,710.00	
	Negro Home & Farm Agents:		
A-445	Part Salary—Negro Farm Agent	\$ 480.00	
A-446	Negro Home Demonstration Agent	920.00	
A-447	Negro Clerical Help	1,680.00	
A-448	Office Rent—Negro Farm Agent & FHA Agent	900.00	
A-449	Supplies—Negro Home & Farm Agents	50.00	
	Total—Negro Farm & Home Agents	\$ 4,030.00	
	Negro School Supervisor:		
A-452	Office Rent—Jeanne's Teacher	\$ 210.00	
	Total—Negro School Supervisor	\$ 210.00	
	4-H Camps & Club Work:		
A-455	4-H Summer Camp Expense	\$ 650.00	
	Total—4-H Camps & Club Work	\$ 650.00	
	County Fair:		
A-465	Sumter County Fair Association	\$800.00	
	Aid to Cattle Show	500.00	\$ 1,300.00
	Total—County Fair	\$ 1,300.00	
	Forest Ranger:		
A-470	Part Salary—Forest Ranger	\$ 240.00	
	Total—Forest Ranger	\$ 240.00	

Cotton Platform:	
A-475 Rent—Cotton Platform	\$ 360.00
<hr/>	
Total—Cotton Platform	\$ 360.00
Game Wardens:	
A-480 Game Wardens Telephone Expense	\$ 120.00
A-481 Game Wardens Expense	720.00
<hr/>	
Total—Game Wardens	\$ 840.00
<hr/>	
TOTAL, ITEM 10—EDUCATION	\$ 25,501.00
<hr/>	
GRAND TOTAL	\$668,274.50

SECTION 2. Before any new county employee is employed by any department, the County Board of Commissioners shall first approve the salary or compensation to be received by such new employee.

SECTION 3. The amount herein provided for the salary of the Sheriff, Treasurer and Clerk of Court shall be in lieu of all fees, collected pursuant to the laws of the State of South Carolina and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1961, except that the Sheriff shall be entitled to retain fees and filing costs for services in civil matters.

SECTION 4. The above accounts shall be kept separate and expended for the purposes for which appropriated; and the County Board of Commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the County Delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

SECTION 5. In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corpora-

tions of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the County Board of Commissioners and on purchases amounting to one hundred dollars or more, bids from two or more vendors shall be called for.

SECTION 6. The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

SECTION 7. The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of the courthouse and no use shall be had of that part of the building without the consent and approval of the said chairman.

SECTION 8. The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient:

- A-120 Jury Pay & Court Expense
- A-191 Court Expense—Civil & Domestic Relations Court
- A-383 State Retirement—County's share
- A-384 Social Security—County's share
- A-304 Police Insurance & Annuity Fund
- A-375 Advertising Tax Sales, Bids, Reports, etc.
- A-402 Per diem—County Board of Education
- A-145 Coroner's Juries, Inquests, etc.
- A-175 Mental Health Examinations & Transportation
- A-341 Per diem—Tax Assessors & Appeal Board
- A-380 Officials & Employees Bond Premiums
- A-364 Tax Warrant Service Fees to Police
- A-382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

SECTION 9. The County Board of Commissioners shall publish, in at least one newspaper published in the county, a consolidated state-

ment of all receipts and disbursements annually, as of July first of each year.

SECTION 10. The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes to be used for the maintenance of streets in the City of Sumter.

SECTION 11. The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

SECTION 12. Notwithstanding the provisions of Section 64-151, Code of Laws of South Carolina, 1952, in Sumter County, only national Thanksgiving Day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

SECTION 13. No levy for school purposes shall be made in any district unless approved by the county board of education and a majority of the legislative delegation including the Senator.

SECTION 14. All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R140, H1366)

No. 660

An Act To Authorize The State Highway Department To Construct A Certain Road In Union County And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may construct road in Union County.—The State Highway Department is hereby authorized to add to the State highway system and to construct a road in Union County from the present terminus of road No. 163 and running in an easterly direction to its connection with U. S. Highway No. 176

at or near Mt. Vernon Church, a distance of approximately one and one-half miles.

SECTION 2. Costs.—The cost of constructing the road provided for by this act shall be charged to the secondary highway funds accruing to Union County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1961.

(R597, H1960)

No. 661

An Act To Add To The State Highway Secondary System And To Authorize The Construction Of A Certain Secondary Highway In Union County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department may construct road in Union County.—The State Highway Department is authorized to construct and add to the State Highway Secondary System a recently paved road in Union County, which runs off of State Road 19 to connect with a dirt road which extends from State Road 84, in the vicinity of the Woodson Church and School, all of which is approximately one and one-half miles.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R598, H1962)

No. 662

An Act Authorizing And Directing The Board Of Education Of Union County To Convey Certain Abandoned School Property To The Town Of Carlisle.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Union County Board of Education to convey certain property.—The Board of Education of Union County is authorized and directed to convey the abandoned school lands and improvements thereon, lying within the town limits, to the Town of Carlisle for use as a town hall.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R666, H1805)

No. 663

An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be necessary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1961, and ending June 30, 1962, and to provide for other purposes hereinafter stated :

Item 1. Auditor's Office :

A. Salaries :

1. Auditor (County's part)	\$ 1,870.00
2. Clerk	2,725.00
3. Assistant Clerk	2,775.00

B. Travel in taking tax returns	200.00
---------------------------------------	--------

Total, Item 1	\$ 7,570.00
---------------------	-------------

Item 2. Circuit Courts:

- A. Expenses of Regular Terms**\$ 5,000.00

Provided, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceeding five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any terms of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.

Total, Item 2\$ 5,000.00

Item 3. Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:

A. Salaries:

1. Judge\$ 5,060.00
2. Solicitor 3,660.00
3. Court Reporter 2,725.00

B. Expenses, Regular Terms:

Court Sessions 3,000.00

Provided, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per

day for his services. *Provided*, the Judge shall order the payment of the expenses of said Court. (Exempted from Section 8 and Section 16).

Total, Item 3		\$ 14,445.00
Item 4. Clerk of Court's Office:		
A. Salaries:		
1. Clerk of Court	\$	4,870.00
2. Deputy Clerks, 2 @ \$2,725.00 each		5,450.00
3. Microfilming		275.00
4. Supplies and Fixtures		3,623.00
Total, Item 4		\$ 14,218.00
Item 5. County Governing Board and Supervisor's Office:		
A. Salaries:		
1. Township Commissioners, 8 @ \$840.00 each. <i>Provided</i> , that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year.	\$	6,720.00
2. Supervisor		4,375.00
3. Clerk to Supervisor		2,725.00
4. County Bookkeeper		3,830.00
5. Chain Gang Captain		3,000.00
Expenses		600.00
6. Chain Gang Guards, 10 @ \$2,600.00 each ...		26,000.00
7. Mechanic		3,115.00
8. Janitor for Courthouse		2,660.00
9. County Doctor		812.50
10. County Attorney		1,035.00
11. Farmer at County Farm		2,140.00
12. Practical Nurses at County Home, 2 @ \$1,-260.00 each		2,520.00
13. Housekeeper at County Home		905.00
B. Materials, Supplies and Repairs:		
1. Maintenance and repair of road machinery, trucks		15,000.00
a. For purchase of new road machinery, if so much be necessary		10,000.00

Provided, that the Supervisor shall cause to be kept an accurate record of the operating and repair costs with respect to each truck and/or machine.

- | | |
|--|-----------|
| 2. Bridges and Bridge Repairs | 3,000.00 |
| 3. Top Soil and gravel for dirt road maintenance | 2,000.00 |
| 4. Feeding, clothing and housing convicts | 14,000.00 |

Provided, the Captain of the Chain Gang shall make a monthly report in writing to County Supervisor of all food produced and the use made thereof at the County Chain Gang.

- | | |
|---|-----------|
| 5. Gasoline, oil and grease | 12,000.00 |
| 6. Public buildings—Repairs, heat, lights, power, water and telephone | 15,000.00 |

Provided, that telephones in county offices shall not be used for long distance calls except on county business; and *provided*, further, that \$1,000.00 of the above figure is set aside exclusively for maintenance or repairs on the Courthouse, and is to be paid out only on order and approval of the Union County Legislative Delegation.

- | | |
|--|----------|
| 7. Books, stationery and office supplies | 5,000.00 |
|--|----------|

Provided, the different county officers in the Union County Courthouse may purchase the books, stationery and office supplies for their respective offices. (Exempted from Section 8 and Section 16.)

- | | |
|---|-----------|
| 8. Materials for maintenance of surface-treated roads | 15,000.00 |
|---|-----------|

Provided, that any money in excess of \$2,500.00 shall be approved by unanimous order of the Union County Legislative Delegation.

- | | |
|---|----------|
| C. 1. Surface-treating county roads, including necessary road preparation | 5,000.00 |
|---|----------|

Provided, that the plans and methods and any contracts for surface-treating such roads shall first be approved by the Governing Board, and the Governing Board shall designate the roads to be surface-treated, with unanimous approval of the Union County Legislative Delegation.

D. County Home	12,000.00
<i>Provided</i> , the Superintendent of the County Home shall make a monthly report in writing to the County Supervisor of all food produced and the use made thereof on the County Farm and at the County Home.	
E. Miscellaneous Items:	
1. Premiums for insurance on public buildings ..	3,000.00
2. Workmen's Compensation Insurance Premiums	2,000.00
3. County's required contribution under Retirement System and Social Security	9,000.00
4. Post Mortems and Lunacies	500.00
<i>Provided</i> , that doctors shall receive \$10.00 for each call to be paid under this item.	
<hr/>	
Total, Item 5	\$182,937.50
Item 6. Magistrates and Constables:	
A. Salaries:	
1. Magistrate at Buffalo	\$ 867.08
2. Magistrate at Carlisle	867.08
3. Magistrate at Cross Keys	867.08
4. Magistrate at Goshen Hill	867.08
5. Magistrate at Jonesville	867.08
6. Magistrate at Lockhart	867.08
7. Magistrate at Santuc	867.08
8. Magistrate at Union Courthouse	4,375.00
9. Constable at Buffalo	730.66
10. Constable at Carlisle	730.66
11. Constable at Cross Keys	730.66
12. Constable at Goshen Hill	730.66
13. Constable at Jonesville	730.66
14. Constable at Lockhart	730.66
15. Constable at Santuc	730.66
<hr/>	
Total, Item 6	\$ 15,559.18

Item 7. Probate Judge and Master's Office:

A. Salaries:

1. Probate Judge and Master	\$ 4,870.00
2. Clerk to Probate Judge and Master	2,725.00
<hr/>	
Total, Item 7	\$ 7,595.00

Item 8. Sheriff's Office:

A. Salaries:

1. Sheriff	\$ 4,653.33
2. Official expense allowance for Sheriff	600.00
3. Nine Deputy Sheriffs @ \$3,600.00 each	32,400.00
4. Clerk to Sheriff	2,725.00
5. Jailer	3,600.00
6. Salary, Maintenance of radio system	600.00
7. Radio Supplies, if so much be necessary	2,500.00

Provided, that no funds shall be paid from this account unless approved by the County Radio Technician.

B. Supplies:

1. Dieting jail prisoners	4,000.00
<i>Provided</i> , the Sheriff shall receive \$1.20 per day per prisoner, for dieting, if so much be necessary.	
2. Jail expenses, miscellaneous	1,200.00
3. Gasoline, oil and repairs for patrol automobiles and radio system	3,500.00

Provided, the Sheriff and his deputies shall be furnished with such gasoline and oil out of the supply at the county chain gang, which gasoline and oil shall be used only in discharge of their official duties or official business. The Sheriff and each Deputy Sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer receiving same, the amount received and the date thereof. Such ticket shall be transmitted to the county bookkeeper monthly and a permanent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item.

4. Payment for two patrol cars to be purchased. 3,000.00
Provided, purchases shall be approved by the
Governing Board and Legislative Delegation.

Total, Item 8\$ 58,778.33

Item 9. Treasurer's Office:

A. Salaries:

1. Treasurer (County's part)\$ 1,870.00
2. Clerk to Treasurer 2,725.00

- B. Travel in collecting taxes 100.00

Total, Item 9\$ 4,695.00

Item 10. Miscellaneous Appropriations:

- A. Coroner's Salary\$ 1,901.66
B. Health Officer's Salary (County's part) 845.42
C. Board of Equalization 2,000.00

Provided, that each member of the Board of Assessors shall receive \$8.00 per day for services actually performed.

- D. Premiums on Officers' Bonds 1,000.00
E. Audit of Union County's books to be made under the direction of the Grand Jury of Union County 2,500.00
F. Contingent Fund for Union County Legislative Delegation to meet unforeseen requirements ... 12,000.00
G. Adult Education 1,500.00

- H. To be expended as high school textbook rental for children whose parents or guardians are receiving public welfare funds for support, provided Union County Public Welfare Department and Union County Public Schools shall certify entitlement 500.00

- I. Lockhart Athletic Field 2,000.00
Provided, same shall be expended for seats and improving High School athletic field. This fund is to be paid out on Delegation order.

Total, Item 10\$ 24,247.08

Item 11. Pensions and Contributions:

A. Widows of Confederate Veterans	\$ 600.00
<i>Provided</i> , that each such widow enrolled in Union County shall receive \$25.00 per month.	
B. Hope Hospital	5,000.00
C. Wallace Thomson Hospital (Payable monthly)	25,000.00
D. Salvation Army	900.00
E. Boy Scouts	300.00
F. Girl Scouts	300.00
G. Boys' City, Laurens, S. C.	100.00
H. Union County Tuberculosis Clinic	900.00
I. American Legion:	
1. Buffalo Post	100.00
2. Jonesville Post	100.00
3. Lockhart Post	100.00
4. Union Post	100.00
J. Veterans of Foreign Wars	100.00
K. National Guards:	
1. Co. A 218th Infantry (Union)	750.00
2. Troop A, 53rd Cavalry Div. (Lockhart)	750.00
3. Hdq. Co., 1st Battalion (Union)	750.00
4. Heavy Motor Company, 218th Infantry (Jonesville)	750.00
Where companies are combined, the combined units shall share pro rata in the combined funds.	
L. Jonesville Chapter, Future Farmers of America	200.00
M. Union Community Hospital (Payable monthly)	1,500.00
<i>Provided</i> , however, that any hospital established through grant or by foundation shall file with the Clerk of Court of Union County and each member of the Union County Legislative Delegation a copy of their audit for the current fiscal year in order to receive funds appropriated in this act.	
N. Union County Soil Conservation Committee	300.00
<i>Provided</i> , payment of this item shall be made on Delegation order.	
O. Salary, Service Men Emergency Leave Requests, Union County Chapter, American Red Cross	420.00

Provided, payment of this item shall be made on
Delegation order.

Total, Item 11\$ 39,020.00

Item 12. Supplements for State and Federal Agencies:

A. County Service Officers:

1. Service Officer's Salary	\$ 1,295.00
2. Salary of Assistant to Service Officer	970.00
3. Travel for Service Officer	380.00

B. Health Department:

1. General Services	7,387.00
---------------------------	----------

Provided, however, that at least two Public
Health Nurses shall be employed at all times.

2. For Rabies Control, to be used by the County Health Department as it deems most effective for controlling rabies in Union County	700.00
---	--------

C. Vital Statistics Registrar 515.00

Provided, that each local registrar shall be paid
out of this fund the sum of \$25.00 per year as
travel expense in addition to his usual fees.

D. Home Demonstration Agent's Office (White):

1. Stenographer's salary	1,101.66
2. Demonstration supplies, stamps and telephone, etc.	150.00
3. Agent's salary	255.00

E. Home Demonstration Agent's Office (Negro):

1. Agent's salary and travel	780.00
2. Rent (Home Demonstration Agent and Agri- cultural Agent—joint)	288.00
3. 4-H Club Work for Colored Girls	100.00
4. Fuel	40.00
5. Stenographer's Salary	385.00
6. Demonstration Material	50.00

F. Agricultural Agent's Office (White):

1. Agent's Salary	710.00
2. Stenographer's Salary	450.00
3. Rent—to be paid monthly	228.00
4. 4-H Club Work (White)	150.00
5. Stamps, Incidentals	25.00

G. Agricultural Agent's Office (Negro):	
1. Telephone—joint with Home Demonstration Agent (Negro)	99.00
2. 4-H Club Work (Negro)	100.00
3. Stenographer's Salary	1,035.00
4. Equipment and demonstration supplies	50.00
H. Circulating Library:	
1. Salary—Head Librarian	1,945.00
2. Salary—Librarian Assistant	1,750.00
3. Rent, to be paid monthly	72.00
4. Purchase of Books	500.00
I. Agricultural Conservation Association:	
1. Rent, to be paid monthly	480.00
J. Farm Home Administration:	
1. Rent, to be paid monthly	240.00
K. Soil Conservation Service:	
1. Rent, to be paid monthly	240.00
L. County Department of Public Welfare:	
1. Salaries:	
(a) Director	710.00
(b) Visitors, 4 @ \$645.00 each	2,580.00
(c) Stenographers, 2 @ \$645.00 each	1,290.00
(d) Board Members, 3 @ \$710.00 each	2,130.00
2. Rent and Miscellaneous Office Expenses	1,000.00
<i>Provided</i> , that one-fourth of this item shall be remitted by the County Treasurer quarterly to the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.	
3. Foster Home Fund	500.00
4. Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation ...	2,000.00
5. Office Expense	1,200.00

M. County Forest Rangers:	
1. Ranger	775.00
2. Two Wardens @ \$710.00 each	1,420.00
3. Towerman at Kelly Tower	385.00
<hr/>	
Total, Item 12	\$ 36,460.66
Item 13. County Game Warden:	
A. Salary	\$ 2,460.00
B. Expenses	600.00
<i>Provided</i> , the County Game Warden shall keep the County Legislative Delegation informed of the status of fish and game resources in Union County.	
<hr/>	
Total, Item 13	\$ 3,060.00
Item 14. To effectuate the registration of voters for the fiscal year 1961-1962 and to be spent in the same manner as ordinary county funds	
<hr/>	
Total, Item 14	\$ 2,000.00
Item 15. For Negro Recreation Park facilities, in con- junction with City of Union, S. C., on project on property of Union School District adjoining New Sims High School (Negro), with permis- sion of Union County Board of Education, and to be disbursed only upon unanimous authoriza- tion of Union County Legislative Delegation...	
<hr/>	
Total, Item 15	\$ 5,000.00
<hr/>	
GRAND TOTAL	\$420,585.75

SECTION 2. The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth ($1/4$) or twenty-five per cent (25%) of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1961, 1962, commencing July 1, 1961, and on the first day of each successive month thereafter, the last day of each third month being reckoned

as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth ($1/4$) or twenty-five per cent (25%) of the total annual appropriation of any item during any three (3) consecutive months' quarter of the current fiscal year, 1961-1962, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriation act of the fiscal year, 1961-1962, by unanimous delegation order in writing.

SECTION 3. For the fiscal year beginning with July 1, 1961, and ending with June 30, 1962, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein or prior hereto; *provided*, that the millage so levied shall be approved in writing by the entire Union County Legislative Delegation.

SECTION 4. The salary of no employee of Union County shall be increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

SECTION 5. The County of Union shall assume the balance of the outstanding road bonds issued by the Bogansville Township.

SECTION 6. The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hospital and Union County Schools. *Provided*, however, that the persons or firm so appointed shall be certified public accountants; and *provided*, further, that the schools and the hospital shall bear the cost

of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

SECTION 7. In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation.

SECTION 8. The supervisor and governing board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *Provided*, that such advertisement shall be published twice during such ten-day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 9. The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision over the courthouse janitor.

SECTION 10. All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided*, however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters as a part of their compensation; and the sheriff, as constable for the magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

SECTION 11. The Supervisor of Union County shall appoint a superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect a county Mechanic, and eight (8) Chain Gang guards. The Commissioner from each of the respective townships shall recommend with the approval of the Captain of the Chain Gang the election of one (1) of said Chain Gang guards, and in the event any Commis-

sioner or Commissioners shall fail or refuse to recommend the election of a Chain Gang guard or Chain Gang guards, as hereinbefore provided, within a period of four (4) weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a Chain Gang guard or Chain Gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and empowered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads shall name two (2) convict camp guards from the county at large. One of the convict camp guards so appointed shall serve as day yardman at the Chain Gang Camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads. The Union County Legislative Delegation shall by unanimous delegation order appoint a County Attorney.

SECTION 12. The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the governing body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon, and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation, rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads,

bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the captain of the Union County Chain Gang.

SECTION 13. The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges, the county chain gang and the County Home, subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided*, however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and for sufficient cause the captain of the chain gang is hereby empowered to dismiss permanently or suspend any such employee or employees, except the superintendent of surface-treated roads for a period of not more than thirty days for any one cause and on any one occasion. Such suspended or dismissed employee shall have the right to appeal to the County Governing Board and the County Supervisor, who shall jointly hold such hearings as may be deemed necessary

to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the County Supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

SECTION 14. The County Governing Board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directions of the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work, or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, arising from any cause, where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initiative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event the supervisor may suspend the captain of the chain gang until the next regular meeting of the County Governing Board and, after a proper hearing, the board may reinstate the captain immediately, or may suspend him for a definite or indefinite period, or may remove him permanently and elect another in his place and stead. *Provided*, further, that any county officer or employee who shall be suspended, removed or discharged as

herein provided shall not be paid for any period during such time of suspension and in case of removal or discharge, shall not receive pay from and after the date thereof.

The powers and authority enumerated and set forth in this Section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this appropriations act concerning the superintendent of surface-treated roads.

SECTION 15. The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

SECTION 16. All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office.

Provided, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 17. It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of 12 o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the

license revoked, upon conviction of violating the provisions of this section.

SECTION 18. Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or outdoors may exhibit in Union County without payment of any license fee or charge. *Provided*, that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided, further*, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

SECTION 19. No license shall be issued for the practice of fortune-telling or palm reading in Union County.

SECTION 20. The members of the press shall be allowed to attend any meetings where the expenditure of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

SECTION 21. The salaries and/or supplements to salaries specified in this appropriation act shall be paid every two weeks.

SECTION 22. All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

SECTION 23. This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

SECTION 24. If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held unconstitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

SECTION 25. The supplemental appropriations for the fiscal year 1960-1961 made from the General Fund of Union County by Delegation Order are hereby validated.

SECTION 26. All acts or parts of acts inconsistent herewith are repealed.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R282, S319)

No. 664

An Act To Authorize The State Highway Department To Construct A Certain Road In The City Of Kingtree In Williamsburg County And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may construct road in City of Kingtree.—The State Highway Department is hereby authorized to add to the State Highway System and to construct a road in the City of Kingtree in Williamsburg County as follows:

“Street in Kingtree—From the intersection of Lexington Avenue (Road S-136) and Road S-272 westerly to Thorne Avenue (Road S-109)—approximately 0.2 mile.”

SECTION 2. Cost of.—The cost of constructing the road provided for by this act shall be charged to the secondary highway funds accruing to Williamsburg County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of April, 1961.

(R601, H1779)

No. 665

An Act To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied upon all of the taxable property of Williamsburg County a sufficient number of mills to be determined by the auditor from assessment of the property therein which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county and school purposes for Williamsburg County for the fiscal year 1961-1962, there is appropriated the following:

Item 1.	Supervisor	\$ 5,250.00
	Supervisor's Travel	1,450.00
	Clerk to Supervisor	3,400.00
	County Commissioners (5) \$1050.00 each	5,250.00
	County Commissioners Travel \$150.00 each	750.00
	<hr/>	
	Total, Item 1	\$ 16,100.00
Item 2.	Roads and Bridges	\$ 99,000.00
	Repairs to Machinery	20,000.00
	Four (4) Trucks & Four (4) Dump Bodies ..	10,000.00
	Concrete Pipe	12,500.00
	Lumber	5,000.00
	Creosote	1,000.00
	Food and Clothing for Chain Gang	18,750.00
	Gas and Oil	18,750.00
	<hr/>	
	Sub Total, Item 2	\$185,000.00
	Supplemental Appropriation 1960-61	20,000.00
	<hr/>	
	Total, Item 2	\$205,000.00
	<i>Provided</i> , the County Supervisor and County Commissioners are hereby authorized and directed to spend not exceeding the sum of \$72,500.00 during the first quarter of the fiscal year 1961-1962, and the sum of \$37,500.00 during each of the remaining three quarters of the year 1961-1962, making the total sum of \$185,000.00.	
Item 3.	Clerk of Court	\$ 5,500.00
	Two (2) Deputy Clerks @ \$3,400.00 each	6,800.00
	Janitor Courthouse	1,600.00
	<hr/>	
	Total, Item 3	\$ 13,900.00

Item 4.	Sheriff's Salary	\$ 5,250.00
	Sheriff's Travel	1,450.00
	Law Enforcement	500.00
	Four (4) Deputy Sheriffs	14,400.00
	<i>Provided</i> , that the salary of each Deputy shall be designated by the Sheriff.	
	Deputies' Travel \$1,450.00 each	5,800.00
	Clerk—Sheriff's Office	3,200.00
	Jail Expenses (dieting prisoners at \$1.00 per day each, to be paid on monthly itemized statements as to number of prisoners)	5,000.00
	Liability Insurance—Sheriff's Dept.	450.00
	Uniforms 5 men @ \$250.00 each	1,250.00
	Total, Item 4	\$ 37,300.00
Item 5.	Auditor	\$ 2,002.20
	<i>Provided</i> , that the total salary paid the county auditor shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
	Clerk to Auditor	3,400.00
	Total, Item 5	\$ 5,402.20
Item 6.	Treasurer	\$ 2,002.20
	<i>Provided</i> , that the total salary paid the county treasurer shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.	
	Clerk to Treasurer	3,400.00
	Extra help for mailing tax notices	500.00
	Total, Item 6	\$ 5,902.20
Item 7.	Probate Judge	\$ 4,500.00
	Part time clerk	1,250.00
	Total, Item 7	\$ 5,750.00
Item 8.	Clerk to Tax Collector	\$ 3,400.00
	Total, Item 8	\$ 3,400.00

Item 9.	Magistrate at Kingstree	\$ 2,400.00
	Magistrate at Hemingway	1,500.00
	Magistrate at Greeleyville	1,200.00
	Magistrate at Cades	600.00
	Magistrate at Central	600.00
	Magistrate at Morrisville	600.00
	Magistrate at Lane	600.00
	Magistrate at Earls	600.00
	Magistrate at Hebron	600.00
	Magistrate at Pergamos	600.00
	Magistrate at Nesmith	750.00
	Magistrate's Constable at Kingstree	2,100.00
	Magistrate's Constable at Hemingway	1,000.00
	Magistrate's Constable at Greeleyville	700.00
	Magistrate's Constable at Nesmith	400.00
	Magistrate's Constable at Cades, Morrisville, Lane, Earls, Hebron, Pergamos and Central; \$300.00 per year each, to be paid at the rate of \$25.00 per month on warrants drawn payable to constables.	2,100.00
	Total, Item 9	\$ 16,350.00
Item 10.	County Attorney	\$ 600.00
	Total, Item 10	\$ 600.00
Item 11.	Coroner	\$ 950.00
	Coroner's Travel	250.00
	Coroner's Clerk	500.00
	Total, Item 11	\$ 1,700.00
Item 12.	Miscellaneous Contingent Fund	\$ 10,000.00
	Total, Item 12	\$ 10,000.00
	<i>Provided</i> , the above amount shall be expended upon approval of a majority of the legislative delegation.	
Item 13.	Police Insurance	\$ 4,000.00
	Insurance County Employees (Workmen's Com- pensation)	2,800.00
	Total, Item 13	\$ 6,800.00

Item 14. Bonds of County Officers	\$ 800.00
Total, Item 14	\$ 800.00
Item 15. Jurors and Witnesses	\$ 5,000.00
Total, Item 15	\$ 5,000.00
Item 16. Public Buildings, Water, Light, Fuel, etc.	\$ 18,000.00
Total, Item 16	\$ 18,000.00
Item 17. Printing, Postage and Stationery	\$ 5,000.00
Total, Item 17	\$ 5,000.00
Item 18. Vital Statistics	\$ 900.00
Post Mortems, Inquests, Lunacies	1,500.00
Total, Item 18	\$ 2,400.00
Item 19. Janitor Service Dept. Public Welfare	\$ 400.00
Miscellaneous—Administrative Public Welfare	100.00
Miscellaneous contingent expense Public Welfare	980.00
Emergency Fund—Dept. Public Welfare	300.00
Total, Item 19	\$ 1,780.00
Item 20. Poor House and Poor (Burial Aid)	\$ 500.00
Total, Item 20	\$ 500.00
Item 21. Board of Equalization	\$ 1,500.00
Total, Item 21	\$ 1,500.00
Item 22. County Health Unit	\$ 8,000.00
Hospitalization (Charity)	10,000.00
<i>Provided</i> , that the sum appropriated for the hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Williamsburg County, and shall be expended on per diem basis to be fixed by the board, not to exceed \$8.00 per day per patient; such basis shall include the cost of room, board, medicine and anesthetics, etc., and there shall not be expended on any one	

case a greater sum than one hundred dollars.
Provided, further, that the board may in extreme cases approve further expenditures but the county shall not be liable for additional sums unless authorization by the board is first secured. The appropriation made shall be for the fiscal year 1961-1962.

		<hr/>
Total, Item 22		\$ 18,000.00
Item 23.	County Agent	\$ 600.00
	Assistant County Agent	400.00
	Stenographic service for County Agent, Telephone and Supplies	450.00
	Boys' 4-H Club	100.00
		<hr/>
Total, Item 23		\$ 1,550.00
Item 24.	County Home Demonstration Agent	\$ 175.00
	Stenographic service for County Home Demonstration Agent	280.00
	Office Supplies, Equipment and Telephone	150.00
	Girls' and Women's 4-H Clubs	200.00
	Junior Homemakers Association	100.00
		<hr/>
Total, Item 24		\$ 905.00
Item 25.	Negro Home Demonstration Agent, Salary and Travel	\$ 900.00
	Negro Boys' and Girls' 4-H Club Work	150.00
	Negro Agr. Agent and Demonstration Agent—Office Rent	480.00
	Negro Agr. Agent, Salary and Travel	350.00
	Office Supplies for Negro Agr. Agent	150.00
	Negro Girls' 4-H Club Work	100.00
		<hr/>
Total, Item 25		\$ 2,130.00
Item 26.	Kingstree National Guard	\$ 750.00
	Hemingway National Guard	750.00
	Medical Expense—Prisoners	3,000.00
	Retirement—County's Portion	5,000.00
	Social Security—County's Portion	5,000.00

Carnegie Library	600.00
Civil Defense	1,625.00
<hr/>	
Total, Item 26	\$ 16,725.00
<hr/>	
GRAND TOTAL	\$402,494.40
LESS ESTIMATED REVENUE AS FOLLOWS:	
Commutation Road Tax	\$ 11,000.00
Gasoline Tax	95,000.00
Fees Collected	17,000.00
Income Tax	35,000.00
Revenue Tax	55,000.00
Liquor Tax	35,000.00
Other Sources	12,000.00
<hr/>	
Total, Estimated Revenues	\$260,000.00
<hr/>	
Amount to be raised by taxation	\$142,494.00

SECTION 2. The county supervisor may, whenever he and the county board of commissioners deem it wise, hire a civil engineer from time to time when the services of one are needed, the civil engineer to be paid out of Miscellaneous Contingent Fund.

SECTION 3. The supervisor and county commissioners are hereby prohibited from issuing any pay checks to any of the magistrates of Williamsburg County until such magistrates have filed with him statements of the names of persons for whom warrants have been issued during the previous quarter and the disposition of each case, and a receipt from the county treasurer for fines and costs collected by the magistrates during the previous quarter.

SECTION 4. The county attorney shall give legal advice to all county officers, including the Grand Jury, on any subject affecting the county and, should he fail to give such advice, the amount appropriated for his services shall not be paid to him by the county treasurer.

SECTION 5. All revenues accruing to the county not otherwise appropriated shall be deposited or invested by the treasurer as a sinking fund for the payment of principal and interest of the county

bonded indebtedness and such investments or deposits shall be guaranteed by bond of indemnity or other adequate security to be passed on by the board of county commissioners.

SECTION 6. The appropriations made in this act shall be for the specific purposes designated herein, and for no other except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No overdrafts shall be made or created in any of the items set forth in this act, and in the event any such overdrafts are created the County of Williamsburg shall not be responsible for such overdrafts and the same shall be void insofar as the county is concerned.

SECTION 7. The salaries paid to the county officers and hereinabove fixed shall be in lieu of all fees, commissions, etc.

SECTION 8. All county officers, before making purchases of books or stationery and all other supplies, shall so notify the county board of commissioners in writing and receive the commissioners' approval. Copies of such requests and their approval shall be kept on file in the respective offices. All supplies of every kind, nature and description whatsoever shall be made only upon competitive bids except purchases at one time which shall cost not more than five dollars. *Provided*, that the county board of commissioners shall not approve payment of any voucher for the purchase of any article of any kind by any agency or department unless such purchase has first been authorized by authority of the county board of commissioners.

SECTION 9. The road machinery, plows, equipment, etc., to be purchased by the County of Williamsburg, from funds herein appropriated, shall be bought upon competitive sealed bids after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which also shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in such advertisement.

SECTION 10. The disbursements, expenditures and actions authorized by the Williamsburg County Legislative Delegation during the fiscal year 1960-1961, in connection with the operation of the county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 11. All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

(R60, H1206)

No. 666

An Act To Amend Section 1 Of Act No. 544 Of The Acts Of 1959, As Amended, Authorizing The Continuation Of The Special One-Mill Levy In York County, So As To Authorize The Board Of Trustees Of The York County Hospital To Borrow Certain Money And To Provide That The Levy Shall Be Used To Retire Such Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 554 of 1959, amended—York County Hospital may borrow money—continue special levy for payment.—Section 1 of Act No. 544 of the Acts of 1959, as amended, is further amended by striking out the entire section and inserting in lieu thereof the following :

“Section 1. The York County Sinking Fund Commission is hereby authorized to make a loan in the amount of thirty-five thousand dollars to the Board of Trustees of the York County Hospital. The loan of the York County Sinking Fund Commission to the County Board of Directors of York County having been paid in full, the Auditor and Treasurer of York County are hereby authorized to continue the special levy heretofore used to retire this indebtedness and to apply the proceeds to retire the loan authorized above. The levy shall continue in force until the loan is paid in full.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1961.

(R101, H1245)

No. 667**An Act To Provide For The Continuance Of A One-Half Mill Tax Levy In York County To Provide The Rural Fire Control Board Of York County With Funds To Purchase And Maintain Fire Trucks And Other Equipment.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County tax levy continued for fire equipment purposes.—The one-half mill tax levy authorized for the purpose of providing funds for the purchase of fire trucks and other equipment by the Rural Fire Control Board of York County shall continue to be made upon the taxable property of York County for the purpose of allowing the Fire Control Board to purchase and maintain fire trucks and other equipment.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R105, H1259)

No. 668**An Act To Provide That The Board Of Trustees Of Clover School District No. 2 In York County May Purchase Or Sell Property In Clover, Which Is Essential For The Operation Of The Schools.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clover School District 2 may buy or sell property.—The Board of Trustees of Clover School District No. 2 in York County may purchase or sell property in Clover, South Carolina, which is essential for the operation of the schools.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of February, 1961.

(R153, S221)

No. 669**An Act Authorizing The Treasurer Of York County To Transfer Three Thousand Dollars From The General Fund To The Contingent Fund Of The County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County to transfer funds.—The Treasurer of York County is hereby authorized and directed to transfer three thousand dollars from the general fund to the contingent fund of the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of March, 1961.

(R184, S229)

No. 670**An Act To Authorize York County To Sell And Convey Certain Property To The State Educational Finance Commission.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County may sell certain property.—The governing body of York County is hereby authorized to sell and convey, upon such terms and conditions as may be agreed upon, a certain portion of the York County Home Farm property to the State Educational Finance Commission to be used for school bus maintenance purposes. In the event such land ceases to be used for school bus maintenance purposes it shall revert to York County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1961.

(R357, H1765)

No. 671**An Act Making Supplemental Appropriations For York County For The Fiscal Year 1960-61.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1960-61 :

Services and Supplies of Clerk of Court's office, including cost of new photostat machine	\$ 20,750.48
Jurors, Witnesses, Bailiffs and Court Crier	14,953.55
Maintenance Courthouse, Agriculture Building and Office Building	10,000.00
York County Artificial Breeding Association	1,200.00
Contingent Fund, York County Health Department	1,000.00
Retirement Fund and Social Security for County Employees	1,125.00
Dieting Magistrates' Prisoners	500.00
Supplies—Sheriff's Office	200.00
Dieting Prisoners at County Jail and Maintenance and Supplies, County Jail	1,800.00
Maintenance of County Roads	3,470.97

Total \$ 55,000.00

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R359, H1524)

No. 672

An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1961, And Ending June 30, 1962, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And

Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. For the fiscal year beginning July 1, 1961, the following sums of money, if so much be necessary, are hereby appropriated from the General Fund in the Treasury of York County to meet the ordinary expenses of the county as hereinafter indicated :

Item 1. Supervisor and County Board of Directors :

Salaries :

Supervisor	\$ 6,000.00
Clerk	3,650.00
Assistant Clerk	3,450.00
Five directors, one hundred dollars each per month	6,000.00
Service and supplies	1,400.00

Total, Item 1\$ 20,500.00

Item 2. County Prison Farm :

Salaries :

Superintendent	\$ 4,050.00
Six guards at \$212.50 per month each	15,300.00

Provided, that board and lodging shall be furnished in addition to salaries above.

Maintenance of Prison Camp	40,000.00
Maintenance of county roads	71,500.00

Provided, that not more than one-half of the above two appropriations shall be obligated or spent prior to January 1, 1962.

Nine patrol operators at \$272.50 per month each	29,430.00
--	-----------

Supervisor—travel for actual mileage driven on county business at 9¢ per mile, if so much be necessary	1,400.00
--	----------

Transporting school lunch commodities	2,500.00
---	----------

Provided, all county equipment shall be kept at the prison camp at night, on Sundays and holidays and at all other times when not in actual

use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.

Provided, further, that it shall be unlawful for any person not an inmate or any person not employed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this provision shall be a misdemeanor and punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days.

Total, Item 2\$164,180.00

Item 3. Sheriff's Office:

Salaries:

Sheriff	\$ 6,000.00
Deputy Sheriff	4,350.00
Clerk	3,000.00
Expense outside county	1,000.00
Gas, oil, upkeep auto and radio	1,500.00
Office supplies, phone, box rent	600.00
Telephone expense for highway patrolmen stationed in York County	400.00
Salaries, expenses and equipment for York County police operation	110,480.00
Radio and jail services—Town of Clover	1,500.00
Radio and jail services—Town of Ft. Mill	1,500.00

Provided, the Sheriff of York County is authorized and empowered to appoint and employ sixteen county policemen to serve under his direction and supervision, and each of the county policemen shall be paid a monthly salary as follows: new employee, first six months, \$275.00; new employee, after six months, \$300.00; new employee, after one year, \$325.00. In addition thereto the sheriff shall appoint and employ a lieutenant of the York County Police, who shall be second in command of the county police, and

who shall be paid a monthly salary of \$400.00. The lieutenant shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason. *Provided*, further, the Sheriff of York County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him. *Provided*, further, that the sheriff shall be allowed to give credit for experience in other law enforcement in computing time in grade.

Total, Item 3\$130,330.00

Item 4. County Jail:

Salary, Jailor	\$ 3,000.00
Dieting prisoners at one dollar per day	6,000.00
Maintenance and supplies	2,500.00
Repairs	700.00

Total, Item 4\$ 12,200.00

Item 5. Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building\$ 26,100.00

Provided, no janitor or janitor's assistant shall be paid more than forty dollars per week.

Provided, further, that prison labor shall be used where feasible during the daylight hours except Sundays.

Provided, there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Courthouse, at salaries not exceeding \$3,000.00 each, and one helper for each building.

Provided, that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.

Total, Item 5\$ 26,100.00

Item 6. Clerk of Court's Office:

Salaries:

Clerk of Court	\$ 5,600.00
First Deputy Clerk	3,650.00
Second Deputy Clerk and photo machine operator	3,600.00
Clerk	3,000.00
Clerk	3,000.00
Clerk	3,000.00
Clerk	3,000.00
Services and Supplies	6,000.00
Jurors, witnesses and bailiffs, and court crier ..	13,000.00

Provided, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

Provided, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem.

Total, Item 6 \$ 43,850.00

Item 7. Auditor's Office:

Salaries:

Auditor	\$ 2,600.00
First Deputy Auditor	3,200.00
Second Deputy Auditor	3,000.00
Services and supplies	1,200.00
Equalization Board	2,000.00

Total, Item 7 \$ 12,000.00

Item 8. Treasurer's Office:

Salaries:

Treasurer	\$ 2,600.00
Deputy Treasurer	3,300.00
Assistant Deputy Treasurer	3,300.00
Clerk	3,000.00

	Revolving Fund	50.00
	Services and supplies	1,350.00
	<hr/>	
	Total, Item 8	\$ 13,600.00
	<i>Provided</i> , that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county.	
Item 9.	Judge of Probate's Office:	
	Salaries:	
	Judge of Probate	\$ 4,820.00
	Clerk	3,650.00
	Clerk	3,450.00
	Office supplies, premium on bond, stamps, box rent and telephone	1,800.00
	<hr/>	
	Total, Item 9	\$ 13,720.00
Item 10.	Tax Collector's Office:	
	Salaries:	
	Tax Collector	\$ 3,000.00
	Deputy Tax Collector	3,000.00
	Clerk	3,000.00
	Bond for Tax Collector, Deputy and Clerk	270.00
	Stationery, services, supplies, box rent and postage	600.00
	<hr/>	
	Total, Item 10	\$ 9,870.00
Item 11.	County Veterans' Service Office:	
	Service Officer	\$ 4,200.00
	Clerk	3,000.00
	Clerk	3,000.00
	Expenses, Service Officer	2,750.00
	<hr/>	
	Total, Item 11	\$ 12,950.00
Item 12.	Coroner's Office:	
	Salary, Coroner	\$ 1,500.00
	Expenses of inquests, office supplies and services	600.00
	<hr/>	
	Total, Item 12	\$ 2,100.00
Item 13.	Department of Public Welfare:	
	Emergency relief—including care of homeless children	\$ 3,000.00

Telephones	800.00
Assistant Clerk for purpose of investigating applicants for free school lunch	900.00
Supplement to County Board Members and Director	1,471.20
Mileage at nine cents per mile for two child welfare workers	700.00
Supplement for Case Work Supervisor	348.00
Supplement for fourteen Case Workers at \$150.00 per year	2,100.00
<hr/>	
Total, Item 13	\$ 9,319.20
Item 14. Hospitalization:	
For charity patients, Divine Savior Hospital ..	\$ 4,000.00
<i>Provided</i> , that all of this fund shall be used for charity cases in York County and that an itemized statement of the cost of each case shall be sent quarterly to the Board of County Directors.	
Post mortems, inquests, lunacies and dental work	1,000.00
County physician or physicians to be employed by the Supervisor and County Directors	1,000.00
<hr/>	
Total, Item 14	\$ 6,000.00
Item 15. National Guard:	
Rock Hill Companies (2)	\$ 800.00
York Company	400.00
Fort Mill Company	400.00
Clover Company	400.00
Headquarters Company, Rock Hill	200.00
<hr/>	
Total, Item 15	\$ 2,200.00
Item 16. Magistrates and Constables:	
Magistrate, Bethel-Kings Mountain Townships ..	\$ 2,100.00
Telephone, Magistrate, Bethel-Kings Mountain Townships	125.00
Magistrate, Bullock Creek-Broad River Townships	1,200.00
Office rent, Bullock Creek-Broad River Townships	120.00

Telephone, Magistrate, Bullock Creek-Broad River Townships	80.00
Magistrate, York-Bethesda Townships	2,100.00
Telephone, Magistrate, York-Bethesda Townships	125.00
Office rent, York-Bethesda Townships	180.00
Magistrate, Catawba-Ebenezer Townships	3,000.00
Constable, Catawba-Ebenezer Townships	2,750.00
Clerk, Catawba-Ebenezer Townships	3,000.00
Telephone, office expenses, Magistrate, Catawba-Ebenezer Townships	1,100.00
Magistrate, Fort Mill Township	2,100.00
Constable, Fort Mill Township	1,200.00
Telephone, Magistrate, Fort Mill Township ...	125.00
Maintenance and janitor service, Magistrate's office—Fort Mill	300.00
Maintenance and janitor service, Magistrate's office—Clover	300.00
<i>Provided</i> , salaries above shall be paid in twelve equal monthly installments.	
<i>Provided</i> , that the magistrates' reports required by law shall be made under oath.	
Dieting prisoners in custody of magistrates other than in county jail not to exceed fifty cents per meal for each person	
Bond for magistrates and constables	1,000.00
	125.00
<hr/>	
Total, Item 16	\$ 21,030.00

Item 17. Farm and Youth Work:

Demonstration material for Home Demonstration Agent and assistant	\$ 75.00
Boys' and Girls' 4-H work	200.00
York County Artificial Breeding Association ..	3,000.00
County Farm Agent	300.00
Telephone, Home Agent	150.00
Negro Home Demonstration Agent	740.00
Clerical help, Negro Farm and Home Agent ..	1,800.00
Demonstration material, Negro Home Demonstration Agent	50.00

	Negro 4-H work	100.00
	Telephone	100.00
	<hr/>	
	Total, Item 17	\$ 6,515.00
Item 18.	General County Expenses:	
	Annual county audit	\$ 3,000.00
	County Attorney	3,000.00
	County Attorney, expense	200.00
	Secretary to Delegation at \$40.00 per month ..	480.00
	Insurance for county employees at \$4.80 per year	480.00
	Postage and metering machine and photostat machine	3,000.00
	Rescue squad—Fort Mill	150.00
	Rescue squad—Rock Hill	150.00
	Rescue squad—York	150.00
	York County Civil Defense	4,000.00
	<hr/>	
	Total, Item 18	\$ 14,610.00
Item 19.	For care of indigent York County residents who are residing in nursing homes	\$ 6,000.00
	<hr/>	
	Total, Item 19	\$ 6,000.00
Item 20.	Retirement Fund and Social Security for county employees	\$ 20,000.00
	York County Teacher Retirement Fund	1,141.56
	<hr/>	
	Total, Item 20	\$ 21,141.56
Item 21.	Board of Health	\$ 18,618.00
	<hr/>	
	Total, Item 21	\$ 18,618.00
Item 22.	Probation Officer:	
	Secretarial help	\$ 1,800.00
	Telephone	150.00
	Office supplies	50.00
	<hr/>	
	Total, Item 22	\$ 2,000.00
Item 23.	Contingent Fund	\$ 32,000.00
	<i>Provided</i> , the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regu-	

larly called meeting. *Provided*, further, that the authorizations shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.

Total, Item 23	\$ 32,000.00
----------------------	--------------

GRAND TOTAL	\$600,833.76
-------------------	--------------

Provided, the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year beginning July 1, 1961.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes.

It is estimated that the following special revenue will accrue to the county during the fiscal year 1961-1962:

Insurance Commission Fees	\$ 48,000.00
Fines, Fees and Licenses	165,000.00
Beer and Wine Tax	18,000.00
Whiskey Tax	63,000.00
Bank Tax	6,000.00
Service Officer	5,700.00
Income Tax	88,000.00
Delinquent Taxes	64,133.76
Total	\$457,833.76

Estimated amount to be otherwise provided ..	\$143,000.00
--	--------------

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of five and one-half mills upon the property of York County and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made.

SECTION 2. The purchase of gasoline, oil and food for the use of the Prison Farm shall be made in wholesale quantities.

SECTION 3. In the Township of York, a special levy of one-half mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy and the Treasurer of York County is directed to collect all taxes levied.

SECTION 4. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditure of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertaining in advance whether or not the appropriations for that purpose are sufficient to pay the same; *provided*, that no revenue, to be derived from any levy or appropriation made herein, shall be expended or pledged prior to the beginning of the fiscal year 1961-1962. Any official violating the provisions of this section shall be liable upon his bond.

SECTION 5. No money appropriated for any specific purpose under the provisions of this act shall be used for any other purpose than that named, without the written consent of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 6. Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 7. In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches, the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

Provided, however, that enrollment in parochial schools or State owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

Provided, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

Provided, further, that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

Salary, Clerk	\$ 3,000.00
Salary, Librarian for schoolbooks	3,100.00
Travel for visiting teacher, actual mileage driven on county business @ 9¢ per mile, if so much be necessary	500.00
Telephone, stamps, box rent and office supplies	600.00
For handling school lunch commodities	500.00
Expenses, Board of Education	720.00
York County Rural Library	4,300.00
Supplement, Superintendent of Education's Salary	870.00
Supplement to State Funds School Lunch Pro- gram	2,000.00
Superintendent of Education, travel for actual mileage driven on county business at seven cents per mile, if so much be necessary	400.00

Total\$ 15,990.00

The appropriations above made shall be in lieu
of all shares in delinquent taxes collected.

SECTION 8. The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable

at such time and in such sums as is convenient to the county board of directors and the sinking fund commission, and the sinking fund commission is hereby directed to make such loans. *Provided*, that the supervisor and county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

SECTION 9. All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

SECTION 10. All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby ratified and confirmed, and the appropriations therein contained are approved.

SECTION 11. The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

SECTION 12. No tax abatement shall apply to levies necessary to pay debt service of county bonds.

SECTION 13. Any employee or officeholder violating any provision in this appropriation act shall forfeit his or her position of employment or the office they hold.

SECTION 14. Any equipment belonging to York County and now designated "Road Construction Equipment" may be used for road maintenance when not being used for road construction; *provided*, that when the equipment is so used all labor, fuel and minor repair costs shall be paid from "Maintenance Funds".

SECTION 15. The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided*, all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

SECTION 16. An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

SECTION 17. The county auditor shall cause to be prepared a statement showing for what the proceeds of all taxes levied in York County are to be used. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out by the treasurer's office.

SECTION 18. The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer.

SECTION 19. No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 4th day of May, 1961.

(R625, H1888)

No. 673

An Act To Increase The Membership On The Board Of Trustees Of The York County Hospital From Twelve To Fourteen And To Provide For The Qualifications, Selection And Terms Of The Two Additional Members.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Trustees of York County Hospital—membership increased.—Notwithstanding the provisions of Act No. 1155

of the Acts of 1960, and in addition to the membership provided by such act for the Board of Trustees of York County Hospital, the board shall also include two additional members who are hereby designated as physician members.

SECTION 2. Two physicians to be appointed.—The York County Legislative Delegation, upon recommendation of the Medical Society of York County, shall appoint two physicians practicing in York County as physician members of the board. As determined by lot, one such member shall be recommended and appointed for a term to end December 31, 1963 and the other for a term to end December 31, 1965. Prior to the expiration of the term of a physician member of the board the Medical Society shall recommend to the county legislative delegation a physician to be appointed on the expiration of such term. All subsequent appointments of physician members shall be for a term of four years and until their successors are duly appointed and qualify. No physician member shall be eligible for reappointment sooner than four years after the termination of his last term of office and no person shall be eligible to serve as a physician member who is under contract with the York County Hospital. Irregular vacancies in the office of a physician member shall be filled for the unexpired term only in the same manner as appointment for a full term.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 23rd day of May, 1961.

RULES AND REGULATIONS

Adopted Under General and Permanent Laws Of The State of South Carolina

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF
JUNE 30, 1961

Published Pursuant to Section 1-16, Code of Laws of
South Carolina, 1952

	PAGE
Supreme Court Rules	1605
Aeronautics Commission	1606
Architectural Examiners, Board of	1608
Bank Control, Board of	1608
Barber Examiners, Board of	1613
Budget and Control Board	1618
Charleston County Council	1618
Chiropractic Examiners, Board of	1618
Clemson Agricultural College	1618
Dairy Commission	1626
Health, State Board of	1627
Insurance Commissioner	1629
Nursing, Board of	1651
Tax Commission	1652

SUPREME COURT RULES

EXAMINATION AND ADMISSION OF PERSONS TO PRACTICE LAW IN SOUTH CAROLINA

(Filed in the office of the Code Commissioner June 22, 1961)

Order

Pursuant to Act No. 375 of 1957 and the inherent power of the Court to prescribe, adopt, promulgate or amend rules for the examination and admission of persons to practice as attorneys at law in South Carolina, it is

Ordered that Rule 10 of the Rules for the Examination and Admission of Persons to practice law in South Carolina, adopted by this Court on November 30, 1957, is hereby amended to become effective on January 1, 1962, so as to read as follows:

"Any attorney admitted to practice law in the highest court of the District of Columbia or in the highest court of another State in which the standard of admission is substantially equivalent to the standard of this State, who has been actively engaged for at least five (5) years next preceding filing of his application, either in the practice of law or, during said period has been a judge of a court of record or teacher of law, may be admitted to the Bar of South Carolina, without examination, upon satisfactory proof that he is a citizen of the United States and an actual resident of this State and intends to practice or teach law therein, is at least 26 years of age, and a person of good moral character. Application, accompanied by a fee of \$125.00, shall be filed with the Clerk of the Supreme Court on such form as the Committee on Character and Fitness shall prescribe and there shall be filed therewith (a) a certificate of the Clerk of the highest court of the District of Columbia or of the State in which he has practiced showing the date of his admission and his present standing, (b) a letter or certificate of a Judge of a court of record in which the applicant has practiced certifying to his character and standing, and (c) affidavits of three attorneys of this State attesting to his good moral character. The Clerk shall refer such application to the Committee on Character and Fitness who shall make the necessary investigation to determine whether the applicant meets the requirement herein specified. As a part of such investigation, the Committee shall obtain a report from the National Conference of Bar Examiners as to the applicant's moral character and professional standing. If the applicant is favorably recommended by the Committee he may, in the discretion of the Court, be admitted to the Bar of this State upon the payment of a further fee of \$10.00 to the Clerk of the Supreme Court and taking the oath prescribed by Rule 7.

"The fee of \$125.00 above mentioned shall not be refunded in the event the application is withdrawn or rejected. Thirty dollars of said amount shall be retained by the Clerk of Court as part of his compensation and the remaining \$95.00 and the fee of \$10.00 paid upon admission shall be placed in the separate fund kept by him for the purpose of paying the expenses incurred by the Committee on Character and Fitness.

"Attorneys from States not extending reciprocity on substantially equal terms to attorneys licensed in this State shall not be admitted under this Rule."

Columbia, South Carolina

April 12, 1961

RULES AND REGULATIONS

AERONAUTICS COMMISSION

Promulgated under authority of Section 2-55, Code of Laws of South Carolina, 1952

(Filed in the office of the Secretary of State March 2, 1961)

These regulations shall be effective March 1, 1961.

Regulations Governing Parachute Jumping

The following regulations shall apply to all persons engaged in parachute jumping within the State of South Carolina.

Exceptions

(a) These regulations shall not apply to military personnel engaged in parachute jumping while in the line of duty.

(b) These regulations shall not apply to parachuting during an actual air-borne emergency when the parachute is used as a life saving device.

Regulations

I. Medical Examination:

(A) All persons engaged in parachuting within the State of South Carolina shall have in his possession a statement of physical fitness for parachuting, signed by a registered physician, and dated within a period of one year prior to time of jumping.

II. Age:

(B) Parachutists must be twenty-one (21) years of age or at least eighteen (18) years of age and have in his possession written parental consent.

III. Operation on Airports:

(a) Parachuting activities being conducted on an airport shall first be approved in writing by the airport manager.

(b) A large white X shall be prominently displayed on the airport during parachute exercises.

IV. Basic Equipment Requirements:

(a) Two parachutes shall be worn during all pre-planned parachuting exercises, one of which shall be a FAA approved type parachute, packed within the preceding sixty days by a FAA Certified Parachute Rigger in accordance with pertinent Civil Air Regulations.

V. Operations:

(a) The purpose of these regulations is to afford maximum safety to all persons engaged in parachute activities.

Parachutists shall exercise due caution in determining that the surface wind velocity and other weather factors do not constitute an undue hazard to participants and spectators alike.

Consistent with the above, the following recommended maximum surface wind conditions shall be adhered to by all persons engaged in parachuting.

Recommended Maximum surface wind—8 MPH.

Under no condition shall parachute activities be conducted when the surface wind exceeds the following velocity.

Maximum allowable surface wind—15 MPH.

(b) A ground crew shall be present to stop any parachute jumping through pre-arranged ground to air signals in the event of weather changes or other emergency conditions.

(c) Minimum opening altitude:

Minimum opening altitude of the parachute shall be 2,000 feet above the terrain.

(d) Flotation Gear:

Flotation gear shall be worn when operating within one (1) mile of an open body of water.

VI. Aircraft:

(a) On aircraft having side-by-side seating arrangements, the door shall be entirely removed from the opening through which the parachutists exit.

VII. Waivers:

(a) Exceptions to the above regulations shall be approved in writing by the South Carolina Aeronautics Commission.

Registration of Aircraft

The following supersedes Paragraph 6.

Transfer of Registration, filed in the office of the Secretary of State
May 14, 1953

(1960 Supplement, Volume 7, page 89, Code of Laws of S. C., 1952)

6. Transfer of Registration: Within ten days after the date of sale or transfer of title of a registered aircraft, the purchaser shall make application to the Commission in writing for registration of such aircraft in his or her name; provided, further, that in the event of the sale of an aircraft to a person or persons without the state, the seller shall so notify the Commission of such sale within ten days. Failure to give notification of purchase or sale of an aircraft within the prescribed time shall subject the purchaser or seller to a penalty of Five dollars.

The following supersedes Paragraph 7.

Fees, filed in the office of the Secretary of State May 14, 1953
(1960 Supplement, Vol. 7, page 89, Code of Laws of S. C., 1952)

7. Fees: There shall be no fees or charges made for the application or the issue or reissue of any certificate of registration or any stamp, decalomania or sticker issued under this regulation; except that any civil aircraft based or operating within the state for thirty days or more on January 1 of the current year and not registered with the Commission

within sixty days shall be subject to a Five dollar late registration penalty. Any civil aircraft brought into the state to be based or operated within the state for thirty days or more on or after January 1 of the current year shall be registered with the Commission within sixty days or be subject to a Five dollar late registration penalty.

BOARD OF ARCHITECTURAL EXAMINERS

Promulgated under authority of Section 56-54, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State July 27, 1960)

Amendment to Rule 7

7. Registration. Class B—Retain the entire paragraph as written and after the last word "Board", add the following:

Provided, however, that registration without written examination under Class B. shall be denied any applicant resident or employed in South Carolina unless such registration by written examination in another state was obtained prior to the applicant's residency or employment in South Carolina; and

Provided further that any candidate having failed a written examination in South Carolina will not be registered under Class B unless a minimum of five (5) years has elapsed since registration was obtained in another state.

BOARD OF BANK CONTROL

Regulation 4G (As Amended)

Promulgated under authority of Section 8-56, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State January 10, 1961)

Regulation 4G relating to limitations and restrictions on loans secured by mortgages of real estate made by banks and banking institutions (including Cash Depositories) operating under the supervision of the Board of Bank Control, and filed in the office of the Secretary of State on October 18, 1937, is amended to read as follows:

Except as hereinafter provided no bank or banking institution shall make any loan or advance of credit of any nature secured by a mortgage of real estate (either direct or assigned as collateral) or by any other instrument giving or purporting to give a lien on real estate until it shall have first secured the following:

(a) Certificate in writing signed by a competent person as to the title of the mortgagor to the mortgaged premises traced back at least twenty (20) years from date of instrument and giving full information as to the lien of the mortgage or other instrument held by the bank.

(b) Certificate in writing signed by a competent person certifying that all taxes assessed against the mortgaged premises have been paid in full to date of said certificate or, if this be not true, giving full information as to all taxes assessed against the mortgaged premises then due and unpaid.

(c) Appraisal of the mortgaged premises, in writing, signed by two (2) or more competent persons.

(d) If the mortgaged premises have insurable improvements thereon, proper policies of insurance in amounts and types of coverage to be fixed by the Board of Directors of the said bank or banking institution with N. Y. Standard Mortgage Clause running to the said bank or banking institution.

EXCEPTION

The restrictions and limitations of these regulations do not apply:

- 1. To loans or advances of credit already made.
- 2. To loans or advances of credit not exceeding one thousand (\$1,000.00) dollars.
- 3. To loans made under Title 11 of the National Housing Act.
- 4. To security taken in good faith by way of compromise of a doubtful claim or to avert an apprehended loss in connection with a debt previously contracted.

Regulation 4-Q

Promulgated under authority of Section 8-56, Code of Laws of S. C., 1952, and Act No. 697 of 1960

The following rule and regulation is promulgated as to the retention of records by banks in South Carolina:

	Minimum Retention Period
Statutory Requirements:	
Minutes Books of Meetings of Its Shareholders and Directors	Permanent
Capital Stock Ledger	Permanent
Daily Statements of Condition	Permanent
General Ledger	Permanent
Investment Ledger	Permanent
Copies of Bank Examination Reports	Permanent
Auditing and Accounting:	
Accrual and Bond amortization records	4 years
Audit copy of debits and credits to Loans and Discounts	6 months
Audit work papers	1 year
Bank Call Reports	5 years
Budget work sheets	1 year
Daily reserve computation	2 years
Discrepancy records	2 years
Earnings and Dividend reports	5 years
Internal reports to Executive Committee or Directors	5 years
Securities Vault "In and Out" tickets	1 year
Tax records	20 years
All trial balances	1 year
Record of all assets charged off	20 years
Capital:	
Dividend Checks (Paid and cancelled)	7 years
Dividend check register	7 years
Proxies	2 years

	Minimum Retainment Period
Investments:	
Brokers' Confirmation	2 years
Brokers' Invoices	10 years
Brokers' Statements	10 years
Loans and Discounts:	
Audit copy of debits and credits to L & D	6 months
Collateral receipts	20 years
Collateral register or cards	20 years
Debit and credit tickets other than General Ledger tickets	1 year
Loan and Discount Journal:	
(A) If Journal is a by-product of posting to General Ledger	1 year
(B) If Journal is used as book of original entry with descriptions	10 years
Liability Ledger	15 years
Loan Applications	Life of loan
Margin Cards	5 years
Loan and Discount Register	15 years
Receipts for coupons removed from collateral	10 years
Loan and Discount tickler	2 years
Resolutions to borrow	10 years
Financial Statements and Credit files	Life of loan
Personnel:	
(Wage and Hour Division—U. S. Dept. of Labor)	
Time Cards	2 years
Salary Ledger	3 years
Proof and Clearings:	
Clearing house settlement sheets	6 months
Copies of advices of corrections	6 months
Department proof sheets	6 months
Deposit proof sheets or master tapes of proof machine	6 months
Out of town clearings proof sheets	6 months
Tellers:	
Cash item record	2 years
Receipts for return items	6 months
Return items record book	6 months
Tellers Cash Book	3 years
Tellers cash tickets, original and carbon copies	3 months
Tellers recapitulation	6 months
Tellers blotter, journal or proof	3 years
Cash and Due From Banks:	
Incoming cash letters memos for remittance	3 months
Incoming cash letters for credit	3 months

	Minimum Retainment Period
Outgoing cash letters memos for credit or remittance	6 months
Advices of credit or debit	6 months
Proof sheets	6 months
Bank statements	6 months
Reconcilement ledger or register	2 years

Due to Banks:

Incoming cash letters memos for credit	6 months
Incoming cash letters for remittance	6 months
Advices of Credit or Debit	6 months
Proof sheets	6 months
Country bank ledger	10 years
Ledger Journal	6 months
Copies of advices	6 months
Reconcilement verifications	6 months
Resolutions	2 years
Signature Cards (After account closed)	10 years

Commercial Deposits (Demand)

Bookkeepers daily list of checks charged in total	1 year
Deposit tickets and other credits	3 years
Individual ledger sheets (After last entry)	10 years
Individual Ledger Journal	6 months
Resolutions	20 years
Signature cards (After account closed)	20 years
Statements undelivered	10 years
Stop payment orders	1 year

Savings Deposits

Deposit tickets	7 years
Journal	6 months
Ledger cards or sheets (After last entry)	10 years
Machine control journal tapes (No ticket plan)	5 years
Machine control journal tapes (with tickets)	1 year
Resolutions	20 years
Signature cards (after account is closed)	10 years
Savings Checks	10 years

Certificates of Deposit:

Certificates (After date paid)	10 years
Register or Ledger	10 years
Carbon copies if used as register	10 years

Christmas Savings or Similar Clubs:

Checks (After date paid)	1 year
Check Register	1 year

	Minimum Retention Period
Carbon copies of checks	1 year
Coupons (Used as deposit tickets)	1 year
Ledger Sheets or cards	1 year
Withdrawal receipts	1 year
Signature cards	1 year
Official Drafts and Checks:	
Cashiers checks and bank money orders (After paid)	7 years
Certified checks or receipts for same (After paid)	7 years
Drafts (After paid)	7 years
Expense checks (After paid)	7 years
Official checks and draft check registers	7 years
Carbon copies if used as register (After paid)	7 years
Affidavits, indemnities, etc. pertaining to lost drafts and checks	Permanent
Insurance Records:	
Casualty Liability policies (Expired)	1 year
Bankers blanket bonds, theft, forgery, safe deposit and other forms of insurance issued for same purpose (Unless present bond covers all liability in prior bonds)	Permanent
Collections:	
Collections receipts, carbons of	2 years
Collection register	2 years
Coupon—cash letters outgoing (After settlement)	6 months
Departmental blotter, journal or proof	3 years
Incoming collection letters	6 months
Installment contract or note records (After closed)	3 years
Customers Service:	
Brokers' Confirmation	3 years
Brokers' Invoices	3 years
Brokers' Statements	3 years
Safekeeping records and receipts (After close)	7 years
Securities—"Buy and sell orders"	3 years
Safe Deposit Vault:	
Access tickets	10 years
Cancelled signature cards	10 years
Correspondence pertaining to authorization (After closed)	10 years
Lease or contracts—closed accounts (After close)	10 years
Ledger record of account	1 year
Night depository agreements (After closed)	1 year
Night depository receipts (After closed)	1 year

	Minimum Retainment Period
Trust Department:	
Cash Ledger	Permanent
Checks	Permanent
Document Files	Permanent
Property Controls	Permanent
Property Ledgers	Permanent
Correspondence Files	7 years
Posting Tickets	7 years
Journals	7 years
Trial Balances	7 years
Daily Blotters	7 years
Bank Account Reconcilements	7 years

BOARD OF BARBER EXAMINERS

Promulgated under authority of Section 56-268, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State May 16, 1961)

Sanitary Rules Governing Barbers and Barber Shops and Barber Colleges Management of Shops

Rule 6. Water receptacles. Amended to read

Barber shops, or any other place where barber service is rendered, not located in cities or towns having water systems, shall supply hot and cold water under pressure in such quantities as may be necessary to conduct such place of business in a sanitary manner. Hot water receptacles to hold not less than five gallons and a sink or lavatory with drain pipe to drain waste water outside of the building, shall be provided. The dipping of shaving mugs, towels, etc. into water receptacles is prohibited.

Approved Barber School and Colleges and Training under Registered Barber

1. Each barber school shall have a manager who will be responsible for the overall operation of the school. No person shall serve as manager of, or teacher or instructor in, a barber school or college unless

(a) he is the holder of an up-to-date Certificate of Registration as a Registered Barber in the State of South Carolina for at least five years.

(b) he has passed an examination prescribed and conducted by the Board to determine his qualifications to instruct and teach; and

(c) he shall continue to be so qualified to teach and instruct in the practice of barbering. Upon reasonable written notice of not less than thirty (30) days the Board may require any such manager, teacher, or instructor to appear before the Board and submit to an appropriate supplementary examination to determine his continued qualification to instruct or teach, or submit evidence satisfactory to the Board that such other violations do not affect his continued qualification to instruct or

teach. Provided, however, such supplementary examination shall not be required at intervals of less than one (1) year.

(d) he has paid annual statutory fees.

2. Each barber school or college shall file with the South Carolina State Board of Barber Examiners (hereafter called "Board") the name of the designated manager or managers thereof. Said filing shall be made not later than thirty (30) days from the date these Rules and Regulations become effective, and thereafter, upon a change in said management, at least thirty (30) days prior to said change, Provided, however, that if such change is due to emergency, said filing shall be made not later than ten (10) days thereafter. Said designated manager or managers shall be responsible for compliance with applicable Statutes, Rules and Regulations of this Board.

3. All teachers and instructors are required to give full time to the students and cannot do any professional work.

4. All teachers and instructors who have not taught school or college within a period of five years will be required to apply for and take such examination as required by the Board.

5. All barber schools and colleges to be approved and accepted must file such application as is required by the Board, such application to be filed with the Board at least thirty (30) days prior to the Board's regular meeting date and accompanied by a check for the annual fee prescribed by the Board.

6. When a certificate of approval has been issued to a barber school or college and there is a change in ownership, a new application form must be submitted along with the prescribed annual fee.

7. If it shall appear to the Board that any manager, teacher, or instructor has

(a) been convicted of any crime involving moral turpitude as shown by a certified copy of the record of the Court of conviction; or

(b) has engaged in malpractice or demonstrated incompetence; or

(c) has failed to be competent to instruct on any and all required subjects, or

(d) has engaged in false or deceptive statements; or

(e) has evidence of drinking or use of drugs in and about the school or college; or

(f) has failed to display a certificate of registration; or

(g) has demonstrated disregard for applicable sanitary rules and regulations; or

(h) has obstructed any member of the Board, its agents, or assistants in inspection of said school or college, or has falsified records or reports required by law or by rules or regulations of the Board.

8. Every person desiring to train in a barber school or college or under the personal supervision of a registered barber shall file an application for student permit to take such training. Such application shall be on a blank form furnished by the State Board of Barber Examiners and

shall be signed by the applicant and official of school or college or registered barber under whom the applicant desires to train. The prospective student who is trained under personal supervision of a registered barber, shall meet along with the registered barber under whom the training is to be taken, with the Board at its next meeting to discuss the training program. A registered barber can train only one student in his shop at a time.

(a) students training in a school or college or under personal supervision of a registered barber shall be on a five day per week basis, eight hours per day for minimum of twenty-six weeks.

(b) have passed his sixteenth (16th) birthday; and

(c) have received a written student permit issued by this Board; and

(d) each student training under personal supervision of a registered barber will be required to obtain the same textbook taught by barber schools or colleges and be given at least one hour of study per day.

9. A student shall be deemed enrolled in the barber school or college or under the personal supervision of a registered barber only from and after the date of issuance of a student permit by this Board. Therefore, no student shall receive credit for training received in any barber school or college or under the personal supervision of a registered barber until student permit has been issued.

10. The school, college, or the registered barber by whom the training is given, shall file with the Board on the first of each month a monthly progress report on each student. This report is to be prescribed by the Board. All reports, records, or other documents required by rules and regulations to be submitted to the Board by barber school or colleges or registered barber training a student.

11. Each barber school instructor or registered barber shall return to the Board the student permit issued to students when enrolled upon completion of training, or when student drops out of said school or quits his training under a registered barber. The instructor must submit in writing the reason for student dropping out of school or quitting his training under a registered barber.

12. Each student who completes training in a barber school or college or under a registered barber and fails to make a passing grade on two (2) practical and written examinations may be eligible to take another examination when and if he or she completes sixty (60) days of additional training in an approved barber school or college in this State or a barber school or college in another State having substantially the same requirements as approved barber schools or colleges in this State or under personal supervision of a registered barber.

13. An application for student permit must be filed with the Board for each student re-entering the school or college for additional training or for additional training under the personal supervision of a registered barber and student permit issued before the student will receive credit for additional training.

14. Each barber school shall:

(a) have a qualified instructor or teacher, who has passed instructor's examination for each twenty (20) students enrolled or fraction thereof; and

(b) have a minimum of ten (10) barber chairs and each and every barber chair shall be mechanically workable, and the finish of same, including upholstery, shall be in good condition; and

(c) have not more than (2) enrolled students per barber chair; and

(d) have and maintain an up-to-date written roster system which shall be so used as to insure that each enrolled student shall care for substantially equal numbers of patrons; and

(e) all students must be given a complete six months course in the following subjects: the scientific fundamentals of barbering; haircutting; shaving; shampooing, and the application of creams and lotions; shedding and regrowth of hair; hygiene; sanitation and sterilization; anatomy; elementary chemistry; massaging and scalp treatments; scientific massaging and manipulation of the muscles in the scalp, neck, and face; history of barbering and professional ethics, and

(f) have a bulletin and curriculum containing full information as to the operation of school including physical equipment, number of barber chairs, workstands, floor space of practical and theory department, hours of operation, schedule of hours of each class, schedule of subjects taught and shall furnish the Board with a copy of same within ninety (90) days from the effective date hereof, and thereafter within (15) days of the issuance of any new or amended bulletin; and

(g) have and keep a complete record of each student including number of days and hours attending classes practical and theory; separate records for the free and pay departments as to number of patrons served for haircuts, shaves and other clinical services; and subject matter taught in theory. A copy of same to be furnished the Board upon request; and

(h) have and maintain in the main quarters of said school a "Free Department" in which no charges shall be made for services rendered by enrolled students; and

(i) have and maintain a clearly visible sign in a conspicuous place at or near the entrance thereto, designating the "Pay Department"; and

(j) have no barber sign or emblem representing that it is a barber shop displayed to the public; a sign must be displayed in front of the place of business designating that it is a barber school or college and stating that all barber work is done by students only. NO SCHOOL OR COLLEGE SHALL IN ANY WAY BE CONNECTED WITH A BARBER SHOP.

(k) students training under personal supervision of a registered barber must have student permit prominently displayed behind his barber chair.

(l) have within each school ample and sufficient room or space to house all facilities, have sufficient space between each and every barber chair as well as from workstand or wall to barber chair whereby the students will not be crowded or hampered. The space between each and every barber chair, measured from center to center, shall be a minimum of five

feet, and the space from the barber chairs to the workstands or wall shall be a minimum of three and one-half ($3\frac{1}{2}$) feet.

(m) have ample and sufficient space for the purpose of practical demonstrations. Each school shall be separate from any other place or type of business by a substantial wall of ceiling height; and

(n) have a room separate and apart from the practical room and must be separate and apart from any other type of business whatsoever by a ceiling height solid partition. Said room must be used exclusively for the teaching in theory of barbering and sufficient in size to accommodate students enrolled in such school and shall have ample blackboard space as well as charts on anatomy and other facilities incident to teaching of subjects required by law; and

(o) have an adequate work stand for each barber chair, same to be of such construction that it may be easily cleaned; and adequate tool cabinet for each barber chair, having a door as nearly airtight as possible and of such construction that it may be easily cleaned, and all tools shall be kept in tool cabinet when not in use with the exception of clippers; and a sufficient supply of solution in which to immerse barber instruments immediately accessible to each chair; and

(p) have and maintain textbooks, supplies, equipment, fixtures, devices and tools necessary for compliance with regulations, and

(q) have and maintain a daily record of all haircuts and shaves performed by each student and students shall be furnished a copy of such record; and

(r) have and maintain a rule that no enrolled student shall be deemed to have finished training in said barber school or college or under the personal supervision of a registered barber unless and until said student shall have performed a minimum of 550 complete haircuts and a minimum of 250 complete shaves within a period of at least six months, under the supervision and control of, and the main quarters of said barber school or college or under personal supervision of a registered barber.

15. All schools, colleges or barber shops are subject to sanitary inspection at any time by the Board of Barber Examiners or its agents.

16. All barber schools, colleges and registered barbers training students are required to comply with the above rules and regulations in order to remain on the approved list. The State Board of Barber Examiners reserves the right to add to or amend these rules at any time.

17. All rules and regulations heretofore adopted by this Board governing or pertaining to barber schools, colleges and training under personal supervision of a registered barber and filed with the Secretary of State of South Carolina shall be and they are hereby revoked.

BUDGET AND CONTROL BOARD

Promulgated under authority of Section 61-91, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State May 4, 1961)

Retirement System

"All records of members, active and inactive, maintained by the South Carolina Retirement System are classified as confidential and shall not be disclosed to third parties, except State and Federal authorities and then only at the discretion of the Director of the South Carolina Retirement System."

COUNTY COUNCIL OF CHARLESTON COUNTY

Promulgated under authority of Section 14-353 (c),
Code of Laws of S. C. 1952
(Filed in the office of the Secretary of State June 8, 1961)

Subdivision of Land

Those interested should refer to the copy of these subdivision regulations which is filed in the office of the Secretary of State.

BOARD OF CHIROPRACTIC EXAMINERS

Promulgated under authority of Section 56-353, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State April 13, 1961)

PRACTICE

Section 16(a) is amended to read as follows:

Sec. 16. (a) Any Chiropractor holding a license to practice Chiropractic in South Carolina from the State Board of Chiropractic Examiners may practice Chiropractic as it is taught by the recognized schools and colleges of Chiropractic of palpating and adjusting the articulations of the human spinal column by hand only. Appropriate instruments or machines may be used to aid the Doctor of Chiropractic in furthering his knowledge towards analysis or diagnosis, provided: therapeutic devices or procedure such as diathermy, ultra sonic or colonic irrigations shall not be used, and shall not prescribe nor administer to any person drugs, nor practice surgery.

CLEMSON AGRICULTURAL COLLEGE**Seed Certification Standards**

Promulgated under authority of Section 3-442, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State July 12, 1960)

Those interested should refer to the pamphlet which is filed in the office of the Secretary of State.

BOARD OF FERTILIZER CONTROL

Promulgated under authority of Act No. 609 of 1954

(Filed in the office of the Secretary of State March 15, 1961)

The following regulations are hereby promulgated and issued relating to commercial fertilizer:

(a) That the minimum grade for the 1-3-3 ratio be 4-12-12 with the exception of the 3-9-9 grade branded and sold exclusively as a tobacco fertilizer.

(b) That the maximum chlorine guarantee in fertilizers branded for tobacco, side dresser, not exceed 5%, tobacco, general crop, not exceed 3%, and fertilizers branded for tobacco plant beds not exceed 1%.

(c) That registrants attaching a tag or label to commercial fertilizer, showing any material used as a source of nitrogen, phosphoric acid or potash be required to show the entire open formula, namely the pounds per 100 pounds and analysis of each, used in compounding the fertilizer mixture. This is in compliance with Section 4-D of the South Carolina Fertilizer Law.

Adopted at Columbia, S. C. the 21st day of March 1958 to be effective July 1, 1958.

Regulation

1. That any inert filler, which bears a color similar to recognized materials furnishing primary, secondary, minor or trace nutrients is deemed and declared objectionable as a component of any mixed fertilizer, in that its use has the effect of deceiving the purchaser of the fertilizer and is in violation of Section 10 of the South Carolina Fertilizer Law.

2. SCS, SCS 100 clays and yellow ocher are determined to be objectionable within the meaning of the above section. The enumeration of these inert filler materials shall not be considered to be exclusive of such materials that may be determined to be prohibited by the said section.

3. Fertilizer manufacturers may submit sample of any questionable inert filler material to the Fertilizer Board of Control or its representatives for a ruling as to whether its use is objectionable under this regulation.

4. This regulation shall become effective on July 1, 1960.

Adopted at Columbia, S. C. this 12th day of February, 1960.

LIVESTOCK SANITARY DEPARTMENT**Health Requirements Governing Admission of Livestock
into South Carolina**

Promulgated under authority of Section 6-401, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State April 24, 1961)

Regulation No. 1—General Regulation

1. For the purpose of this and following regulations, the following definitions shall hold:

(a) Livestock shall mean all classes and breeds of livestock, including poultry.

- (b) Poultry shall mean all chickens, turkeys and other domesticated fowl including hatching eggs of the same.
- (c) The State shall mean the Clemson College Livestock Sanitary Department.
- (d) The Branch shall mean the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture, (formerly United States Bureau of Animal Industry, United States Department of Agriculture).
- (e) Health Certificate shall mean an official certificate of health made on an official form from the state of origin or from the Branch issued by veterinarians in the employment of that Branch or the State Livestock Service state of origin or licensed accredited veterinarian. The certificates shall give the complete name and address of the consignee and consignor. A complete description of the livestock covered, giving age, sex, and breed. The animal or animals shall be permanently identified by tag, tattoo, brand, registration name and number, leg band, or other permanent means of identification. The certificate shall contain the statement that the animal or animals have been examined and are found to be free from the symptoms of an infectious, contagious or communicable disease or exposure thereto. In addition, specific tests or other requirements, as may be noted hereafter, must be included. The certificates shall be signed by the issuing veterinarian and approved by the recognized livestock sanitary official of the state of origin. A copy of the approved certificate shall be forwarded to the State Veterinarian, P. O. Box 1174, Columbia, South Carolina before arrival of the livestock.
- (f) Permit shall mean a written or telegraphic communication signed by the State Veterinarian or his authorized agent.
- (g) State Veterinarian. Director of the Clemson College Livestock Sanitary Department.
- (h) An approved slaughtering establishment or slaughtering center shall mean a packing house or stockyard approved by the State and Federal authorities.

2. No livestock, that is infected with, or that has recently been exposed to any infectious or transmissible disease shall be imported into the state until written permission for such importation is obtained from the State Veterinarian.

3. Livestock imported into the state shall be accompanied by an approved health certificate or permit, where required, which must be attached to waybill or shall be in the possession of the driver of vehicle or person in charge of livestock, if moved on foot. A health certificate will be void thirty (30) days from date of issue. A permit will be void fifteen (15) days from date of issue.

4. Livestock entering the state without a proper health certificate and not meeting the health requirements shall be held in quarantine at the nearest suitable place while necessary inspections and/or tests may be ap-

plied at owner's expense until released from quarantine by the State Veterinarian.

5. All trucks, railway cars and other facilities used for the transportation of livestock shall be maintained in a sanitary condition.

6. The owners and operators of railway cars, trucks and other conveyances that have been used for interstate movement of any livestock infected with or exposed to an infectious or transmissible disease, shall be required to have such cars, trucks and other conveyances thoroughly cleaned and disinfected with a recognized disinfectant under official supervision. Proper notice of cleaning and disinfection and such certification shall be attached to the waybill or in the possession of the operator of truck or other conveyance.

Regulation No. 2—Covering the Movement of Horses, Mules and Asses Into South Carolina

1. These animals may be imported into the state when accompanied by an approved health certificate certifying that the animal or animals as determined by a physical examination are free from any evidence of an infectious or transmissible disease and have not been recently exposed to any communicable, infectious or parasitic disease.

Regulation No 3.—Tuberculosis

1. Cattle may be imported into the state provided they are identified as originating in (a) Tuberculosis-free accredited herds, or (b) Qualified negative herds from modified accredited Tuberculosis-free areas. If such herds have not passed a negative tuberculin test within twelve (12) months prior to entry, the cattle to be imported into the state shall be tuberculin tested within thirty (30) days prior to entry.

2. Feeder steers from herds not under quarantine for Tuberculosis may be imported without a tuberculin test, provided they are maintained separate and apart from dairy and breeding cattle.

3. Cattle which originate in a herd in which infection is disclosed are not eligible for entry unless such herd has passed three (3) consecutive negative tuberculin tests at least sixty (60) days apart without evidence of infection.

Regulation No. 4—Brucellosis (Bang's Disease)

(As amended March 22, 1961)

1. Cattle for dairy and breeding purposes, feeder cows, heifers and bulls of beef breeds, including calves and cattle for exhibition purposes, may be imported into the state, provided they come directly from herds meeting health status of one of the following classifications:

(a) Herds officially accredited Brucellosis-free or qualified herds in modified certified Brucellosis-free areas, in which all non *Brucella* vaccinated animals in the herd over six (6) months of age were negative to an official test for Brucellosis within twelve (12) months of entry, and the animals for entry were negative to an official blood test within thirty (30) days of the date of entry.

- (b) Herds under Federal-State supervision for the control of Brucellosis, in which all non *Brucella* vaccinated animals in the herd over six (6) months of age were negative to an official blood test within three (3) months of entry, and the non *Brucella* vaccinated animals for entry were negative to an official blood test within thirty (30) days of the date of entry—such test not to be applied within thirty (30) days of the date of the previous herd test.
- (c) Unvaccinated calves under six (6) months of age will not be required to be blood tested prior to entry, provided they are identified as the progeny and come directly from certified Brucellosis-free herds or Brucellosis-negative herds in accordance with paragraph (a) or (b).
- (d) Cattle officially vaccinated under Federal-State supervision with *Brucella abortus* vaccine between four (4) and eight (8) months of age which originate in herds in accordance with paragraphs (a) or (b), wherein all unvaccinated animals over six (6) months of age are negative to an official blood test within thirty (30) days of the date of entry and all vaccinated animals over thirty (30) months of age which give titers not exceeding the accepted minimum test standards as recommended by the United States Livestock Sanitary Association and approved by the State and Federal authorities, may be imported into state.
- (e) Cattle under thirty (30) months of age officially vaccinated with *Brucella abortus* vaccine between four (4) and eight (8) months of age, which originate in herds in accordance with paragraphs (a) or (b) may be imported into the state if not negative or without an official blood test, but the importation shall be at the request of the purchaser and subject to the approval and special written permit issued by the State Veterinarian.
- (f) Cattle for dairy and breeding purposes, feeder cows, heifers and bulls of beef breeds not provided for in above classifications may enter the state provided they were negative to an official test for Brucellosis within thirty (30) days prior to entry and the herd of origin is under an approved program for the elimination of brucellosis.
- (g) Cattle originating immediately and directly from an established herd in a Modified Certified Brucellosis State and not passing through any public stockyards or any other concentration points may enter this State without further test for Brucellosis. A statement by the veterinarian certifying to the origin must appear on the approved health certificate.

2. Tests for Brucellosis shall be conducted in a laboratory approved by the proper livestock sanitary official of the state where the cattle originate. All tests shall be conducted by one of the methods recommended by the United States Livestock Sanitary Association and approved by State and Federal authorities of the state of origin.

3. The health certificate for the importation of calves under six (6) months of age, as provided in paragraph (c), shall include the Tuberculosis and Brucellosis status of the herd in which they originate.

4. Cattle recognized as officially vaccinated with *Brucella abortus* vaccine shall be identified by tattoo in the right ear, giving the quarter of the year in which they were injected by either one (1), two (2), three (3) or four (4), followed by the letters CV and the last digit of the year, in the case of calves. Vaccinated adults shall be identified in the same manner except the letters AV shall be used in place of CV. For example, 3CV5 shall be interpreted that it was vaccinated during the third quarter as a calf during the year 1955. One with 3AV5 shall be interpreted as vaccinated as an adult during the third quarter of 1955. **Vaccinates not identified as described above shall not be recognized as such for importation into South Carolina.** The health certificate shall give the age of each animal at the time of vaccination and date of vaccination.

5. Feeder steers may be imported without a Brucellosis test but shall be accompanied by a health certificate.

6. Feeder steers upon arrival at destination shall be maintained separate and apart from all other cattle until moved for slaughter or other disposition, under official supervision.

7. **Public Stockyards and Auctions**—No cattle approved for entry into the state as free from Tuberculosis or Brucellosis shall be assembled, prior to shipment, handled or confined in any public stockyard, livestock auction, sales' stable or yard, unless they are properly segregated in thoroughly cleaned and disinfected pens to prevent their exposure to infected cattle or premises.

8. **Immediate Slaughter**—Cattle for immediate slaughter may be imported into the state accompanied by a health certificate showing apparent freedom from infectious and contagious diseases provided such cattle are consigned for immediate slaughter to a recognized public stockyard where Federal, State or Municipal veterinary inspection is maintained, or shipped to a slaughtering establishment or slaughtering center that is approved and designated by the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture, and the State Veterinarian. Such cattle shall be slaughtered within ten (10) days after arrival at destination, except when the ten day period is extended by special permit from the State Veterinarian.

Regulation No. 5—Cattle Fever Tick and Scabies Regulations

1. No cattle infested with fever ticks (*Margaropus Annulatus* or *M. Australis*) or exposed to such tick infestation shall be shipped, trailed, driven or otherwise imported into the state for any purpose.

2. Cattle from Federal-State tick quarantined areas shall not be imported into this state except in accordance with regulations of the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture.

3. No cattle infested with Scabies shall be shipped, trailed, driven or otherwise imported into this state for any purpose.

4. No cattle recently exposed to Scabies or from an area quarantined on account of Scabies shall be imported into this state except in accordance with the regulations of the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture.

Regulation No. 6—Sheep and Goats

1. Goats for dairy and breeding purposes to be imported into this state shall be accompanied by a health certificate containing a record of a negative test for Tuberculosis and Brucellosis—such tests to be conducted within thirty (30) days prior to importation. Sheep for breeding purposes shall be accompanied by an approved health certificate.

2. **Scabies.** Sheep and goats for purposes other than immediate slaughter that have been handled in stockyards, stock pens or on premises in public use for livestock shall not be imported into this state until after they have been dipped in accordance with the regulations of the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture, and while in transit, they shall be accompanied by a certificate certifying such dipping.

3. The health certificate covering importation shall include report of inspection indicating that the sheep or goats are not infected with, exposed to or from a flock or area under quarantine for Scabies, Scrapie, Blue Tongue or any other infectious, contagious or communicable disease. Upon arrival at their destination such sheep and goats shall be unloaded directly from the car, truck, vehicle or conveyance into cleaned and disinfected vehicles or conveyances or upon clean and disinfected premises.

4. **Immediate Slaughter.** Apparently healthy sheep and goats may be imported into this state for the purpose of immediate slaughter when consigned directly to a recognized public stockyard or to a slaughtering establishment or slaughtering center that is approved and designated by the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture, and the State Veterinarian.

5. Such sheep and goats shall be accompanied by a waybill or certificate marked for immediate slaughter, and shall be slaughtered within ten (10) days after arrival at destination, except when the ten-day period is extended by a special permit from the State Veterinarian.

6. Sheep and goats for purposes other than immediate slaughter shall be imported in conveyances that have been cleaned and disinfected with an approved disinfectant immediately prior to loading animals.

Regulation No. 7—Covering the Interstate Movement of Swine for Breeding and Feeding Purposes (As amended March 22, 1961)

1. All swine imported into this state shall be accompanied by a certificate of health.

2. Swine for feeding and breeding shall be treated with a proper dose of anti-hog cholera serum (not less than 20 cc) and anti-hog cholera vaccine within twelve months of entry into the State.

3. The certificate of health should include a certificate of vaccination signed by an accredited veterinarian stating the ear tag number, date of vaccination, amount of anti-hog cholera serum, anti-hog cholera serum and hog cholera vaccine, or anti-hog cholera serum and hog cholera virus used.

4. Purebred swine, if not ear-tagged, shall be identified by a registry name and number and a description sufficient to identify the animal.

5. **Immediate Slaughter.** Swine may be imported into the state for immediate slaughter when accompanied by a health certificate provided they are consigned directly to an approved slaughtering center.

Regulation No. 8—Covering the Admission of Poultry

1. All poultry two (2) months of age or over shall be accompanied by an approved health certificate.

2. Poultry for breeding purposes shall not be imported into this state unless they originate in negative tested flocks under the supervision of the pullorum control phase of the National Poultry Improvement Plan, or have passed a negative blood test for pullorum disease under the supervision of the proper state livestock sanitary official within thirty (30) days of entrance.

Regulation No. 9—Covering the Shipment of Dogs Into the State

1. All dogs to be transported or moved into the state for any purpose shall be admitted only when accompanied by an approved health certificate stating that the dog or dogs did not originate within an area under quarantine for rabies or an area where rabies is known to exist, even though not quarantined, has not been exposed to rabies, and has been vaccinated against rabies and identified by proper identification tag and certificate not more than twelve (12) months prior to shipment.

Regulation No. 10—Wild Animals

1. Wild animals and semi-wild animals under domestication or in custody may be imported into the state when accompanied by an approved health certificate.

OFFICIAL

State Veterinarian, P. O. Box 1174, Columbia, South Carolina

APPROVED BY

The Board of Trustees of Clemson Agricultural College. October 26, 1955

SECTIONS 4 AND 7 AMENDED AND APPROVED BY

The Board of Trustees of Clemson Agricultural College. March 22, 1961

DAIRY COMMISSION

Promulgated under authority of Act No. 255 of 1955

Controlled Market No. 1

Counties of: Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg and Union

Official Order No. 4

(Effective July 15, 1960)

(Filed in the office of the Secretary of State July 15, 1960)

Whereas, the information presented at a public hearing held by the South Carolina Dairy Commission in Spartanburg, South Carolina, on July 14, 1960 indicated the milk price war in Controlled Market No. 1 had continued to spread and had become progressively worse with a majority of the retail stores in the Greenville area selling milk considerably below their cost, and;

Whereas, the temporary price controls established by the Commission on September 1, 1959 had been only partially effective since November 5, 1959 when the Commission was enjoined by the Greenville County Court from enforcing the minimum retail prices of milk in Controlled Market No. 1;

The South Carolina Dairy Commission has ordered the removal of the temporary controls which were established in accordance with the emergency powers of the Commission in the counties of Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg and Union and designated as Controlled Market No. 1. The Commission therefore decreed that Official Orders Nos. 1, 2, and 3 are null and void on and after July 15, 1960.

Amendments to Milk Market Order No. 1

(To Become Effective March 1, 1961)

(Filed in the office of the Secretary of State February 27, 1961)

Section II of Milk Market Order No. 1 is amended as follows:

Delete all of sub-paragraph 3 under paragraph A. **Milk Classification**, and add in lieu thereof the following sub-paragraph.

3. Class II-A shall include all fluid milk and milk products sold to U. S. government military installations, except such products sold to such installations for resale through commissaries, post exchanges, or other establishments, provided the price established by any distributor for Class II-A sales as herein provided is not less than the price generally prevailing for Class II sales in the area in which such distributor's processing plant is located. Milk and milk products sold to such installation for resale shall take their respective classification as defined in paragraph A, sub-paragraphs 1 and 2 of this Section.

Add to paragraph A. **Milk Classification** the following sub-paragraph.

5. Each licensed distributor located within South Carolina shall within fifteen (15) days establish and file with the State Dairy Commission,

on forms furnished by the Commission, the price to be paid for each class of milk established by this Section and shall give the Commission and their respective producers advance notice of not less than 30 days prior to any decrease in such prices. The prior notice may be waived by any distributor to meet the competition of any distributor located within the State.

Delete all of sub-paragraph 1 under paragraph B. **Rules of Classification**, and add in lieu thereof the following sub-paragraph.

1. Any whole milk in fluid form sold or transferred to other distributors shall be classified as Class III by the shipping distributor. The receiving distributor shall return to the shipping distributor the prices on file with the State Dairy Commission for the class or classes in which the transferred whole milk was finally utilized, but not less than prices on file with the Commission by the shipping distributor for the class or classes in which such transferred whole milk was finally utilized by the receiving distributor as determined by the monthly audits of the Commission. The shipping distributor shall return to his producers the price received for any whole milk sold or transferred to another distributor, less reasonable handling and transportation charges if any are incurred.

BOARD OF HEALTH

Promulgated under authority of Section 32-8, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State July 13, 1960)

Design and Construction of Sewage Stabilization Ponds

1. Definitions

- a. **Stabilization Pond**—Stabilization Ponds are relatively shallow basins built by excavation of the ground and/or diking, and are used for the purpose of treating raw, settled, intermediate, or secondary domestic sewage effluent by storage under conditions that favor natural biological treatment and accompanying bacterial reduction. The term stabilization pond, as herein used, is synonymous with the term oxidation pond or sewage lagoon.
- b. **Loading**—A measure of the waste to which the pond is subjected, expressed as population equivalent or as pounds of five-day Biochemical Oxygen Demand per surface acre per day.
- c. **Freeboard**—Freeboard refers to the portion of a dike or dam which is above the water surface.

2. Minimum Design Factors

- a. **Loading**—Loadings shall conform to current Sanitary Engineering Division policy. The B. O. D. loading of the first stage of a series stabilization pond must not exceed the current practice. The second pond of the two-pond series will have a surface area equal to the first pond.

- b. Shape—The shape of ponds should be regular and essentially square or rectangular with no coves, peninsulas, or islands where floating material may accumulate.
 - c. Depth—The liquid depth shall not be less than three feet nor more than six feet. Provisions should be made to vary the working depth of the pond.
 - d. Inlets—The inlet shall be located at least one-half the shortest diameter of the pond away from the outlet and preferably near the center, but in any case at least one-third the length of the pond away from the dike. The inlet shall discharge onto a concrete apron near the bottom or such other arrangement as will prevent scouring. Effluents from primary stabilization ponds in a two or more pond series may be discharged at the shore line of the subsequent pond. Design shall be based on a detention in excess of 30 days.
 - e. Outlets—The outlet structure shall be designated so as to provide for subsurface withdrawal. The design should allow for variation in the working depth of the pond. The outlet structure shall be located at a point most distant from the inlet.
 - f. Dikes—Dike slopes shall not be less than three horizontal to one vertical and the top width shall be adequate for the travel of maintenance vehicles. Freeboard above the maximum water-line shall be three feet for ponds having surface areas greater than one acre. Dikes shall be seeded above the waterline with a satisfactory short stem, shallow rooted grass.
 - g. Pond Bottom—The pond bottom shall be essentially level and free of vegetation when the system is placed in operation.
 - h. Fencing—The site shall be completely fenced with a stocktight fence having a gate large enough to admit maintenance vehicles. Permanent signs containing the words "THIS IS A SEWAGE STABILIZATION POND" shall be placed on the fence.
3. Buffer Zone—The location of a stabilization pond shall be such that sufficient isolation is obtained. It is recommended that a five hundred foot buffer zone be provided.
4. Design by a Registered Engineer—Every stabilization pond shall be designed, constructed, and initially operated under the supervision of a Registered Engineer licensed by the State of South Carolina.
5. Initial Operation—The pond shall be partially filled with fresh water or other arrangements made to insure an adequate liquid level during start up. At no time shall a pond containing waste be allowed to partially or completely dry up. Special allowance may be granted on written request of the State Board of Health.
6. Special Dispensation—Special dispensation may be given for temporary systems upon submission of complete substantiating data by the engineer.

Communicable Diseases

Section 7 of rules and regulations filed in the office of the Secretary of State June 26, 1958 is amended by changing 1955 on line three to 1960. (Page 1422 of the Acts of 1959.)

Control of Anthrax

It shall be unlawful to ship or otherwise transport into or through the State of South Carolina, or to own or have in possession within the said State any product or animal by-product, foodstuff or other material considered to constitute a health hazard which originates in a county, state, or country where anthrax or other communicable diseases are reported to exist, provided that the aforementioned products may be permitted entry into the State of South Carolina upon written application and under such requirements and conditions as may be required by the State Health Officer. Such permit shall be in writing and shall accompany the shipment from its point of entry to its destination within the State, provided that this regulation is in conjunction with and not in conflict with any other State or Federal regulation pertaining to the same subject matter.

INSURANCE DEPARTMENT

Promulgated under authority of Act 686 of 1960

(Filed in the office of the Secretary of State July 9, 1960)

Annual and Short Term Automobile Policies

1. Companies or rating organizations desiring to use only one term as a basis for premiums (whether such term be three months, six months, annual, or otherwise) may file their loss and expense figures and negotiate with this Department for approval of rate schedules.

(a) Appropriate short-rate tables must be submitted.

(b) Policies may be endorsed to provide coverage for multiples of the base term provided that, upon cancellation, each period will be considered separately; expired periods will be considered fully earned, periods not yet entered will be fully refundable, and current period will be cancelled either pro rata or short rate, whichever is appropriate under the circumstances.

2. Many companies wish to continue the issuance of annual policies but wish to be allowed to issue some contracts for shorter periods. It is under these circumstances that there arises the greatest possibility of discrimination between like insureds. If filings are to receive the approval of this Department, they must be drawn in such a way that no discrimination can result.

(a) The premium applicable to a shorter-term contract must be not less than the premium applying to a longer-term contract cancelled short rate when it has been in force the same number of days. (For example, if the "standard" short-rate table is used, a six-month policy should bear a premium equal to 60% of the premium for an annual policy written by the same company on the same risk.)

- (b) Appropriate short-rate tables must be filed for each term for which policies will be written or some other equitable means provided for converting an approved short-rate table for use with policies written for terms other than that originally intended.

Dividends on Expired Policies

1. Dividend paying insurance companies writing Fire and Casualty risks shall not furnish their agents with policies in which reference of any kind is made to a dividend on another contract of insurance on those risks, and the use of any such policy is prohibited.

Additional Extended Coverage Endorsement

1. No fire insurance company licensed in South Carolina will be authorized to write the Additional Extended Coverage Endorsement filed by the South Carolina Inspection and Rating Bureau for their members or subscribers unless it has qualified with this Commission to write casualty coverages.
2. In order to qualify for extension of its Certificate of Authority to write this business, the company must file with the Commission, the following:
 - (a) A certificate, issued by its domiciliary state, to the effect that it is authorized to write casualty business in that state.
 - (b) A certified excerpt of its charter which extends this authorization.
 - (c) The additional license fee for casualty coverage in the amount of \$40.00.

Admission of Foreign Insurance Companies into South Carolina

1. It is the policy of this Commission that foreign insurance companies with an operating experience of less than three years shall not, except for compelling reasons, be admitted into this State to do business.
2. No foreign insurance company will be considered for admission to do business in this State if its period of operation in its domiciliary state has been less than the period required by that same state for the admission of companies domiciled in South Carolina.
3. It is the policy of this Commission that foreign insurance companies not already doing business in a state or states substantially near or contiguous to this State shall not be admitted to do business in South Carolina, except upon compelling reasons.

Annual Renewal Plan

1. No renewals of an Annual Renewal Plan Policy of one company will be picked up during its renewable terms by another company unless there is a written agreement of consent between the ceding company, the assuming company and the producing agent. The written agreement must be filed with the South Carolina Inspection and Rating Bureau. The producing agent must furnish the Rating Bureau with list of annual renewal expirations at least thirty (30) days in advance of the renewal dates.

2. No company will renew its Annual Renewal Plan policies through any of the company's agents other than the producing agent without the latter's consent.

Forms, Rates, and Rate Deviations Filing Procedure

Applications for renewals of deviations must be filed with this Commission on or before November 15th of each year, this date being established as the effective renewal date.

Multiple Line Underwriting

1. It shall be permissible for insurance companies licensed to do business in South Carolina to issue policies covering the hazards commonly assumed under Fire, Inland Marine, Casualty and Surety risks, PROVIDED, however, that in every instance such companies must be authorized under their charter to write the several types of risks for which they seek authorization in South Carolina, and PROVIDED FURTHER, that such company or companies are authorized, by the State in which domiciled, to issue policies covering the hazards of the classes of business for which it seeks authorization in South Carolina.

2. Composite rates and/or premiums in a Multiple Line Policy, except for those classes where composite rate and/or premium has been well and long established, will not be permitted.

3. Multiple Line Policies in which are combined classes of business subject to statutory rate and/or premium control and classes of business not so subject, will not be permitted.

The following supersedes a regulation filed in the office of the Secretary of State August 10, 1960, entitled "Insurance Written In Connection With The Small Loan Act."

Credit Insurance

(Filed in the office of the Secretary of State January 5, 1961)

1. Definitions

For the purpose of this Section:

(a) "Credit Life Insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction;

(b) "Credit Accident and Health Insurance" means insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy;

(c) "Credit Property Insurance" means insurance on property securing a specific loan or other credit transaction against physical damage, destruction or loss.

2. Effective January 1, 1961:

(a) All insurance companies writing any of the above defined forms of credit insurance in this State shall retain not less than 45% of the total amount of gross premiums for such business written in South Carolina as a reserve for the payment of claims, return premiums and all

expenses properly allocable to such business exclusive of commissions and to provide for contingencies and a reasonable and fair rate of profit. In no event shall the total of all guaranteed or provisional commissions paid for such business exceed 55% of the gross premiums, and except as hereinafter provided only with respect to insurance written under the Small Loan Act, no amount of the reserve hereby required to be established may be used to pay directly or indirectly any additional commission or remuneration of any kind to any person.

(b) Insurance companies writing any of the above defined forms of credit insurance in this State pertaining to the accounts of any person, firm or corporation primarily or incidentally engaged in the business of lending money or extending credit, other than a licensee under the Small Loan Act (Sections 8-794 et seq., Code of Laws of South Carolina of 1952, as amended), if such person, firm or corporation is not licensed or regulated in its lending or credit activities by a regulatory agency of the State or Federal government shall make the following allocation of the required reserve:

(i) 15% of gross premiums for general expenses, contingencies, and anticipated profit;

(ii) 25% of gross premiums for claims and claims expenses. If the charges against this reserve do not equal the full amount allocated, the balance of the reserve shall be carried forward;

(iii) 5% of gross premiums as a special reserve. This special reserve must be set aside until such time as it shall equal twice the amount of the average monthly gross credit insurance premiums written by the company during the most recent twelve consecutive months for which accurate production figures are available. When this requirement is met, and so long as it is maintained, the company may make any other allocation of the 5% amount except that it shall not be used directly or indirectly to increase the commission above the prescribed 55% maximum rate.

(c) Insurance companies writing any of the above defined forms of credit insurance pertaining to the accounts of any lender licensed by the State Board of Bank Control to conduct a small loan business in South Carolina shall make the following allocation of the required reserve:

(i) 15% of gross premiums for general expenses, contingencies, and anticipated profit;

(ii) 25% of gross premiums for claims and claims expenses. If the charges to this reserve do not equal the full amount allocated, the balance of the reserve shall be carried forward;

(iii) 5% of gross premiums for a special reserve. This special reserve must be set aside until such time as it shall equal twice the amount of the average monthly gross credit insurance premiums written by the company during the most recent twelve consecutive months for which accurate production figures are available. When this requirement is met, and so long as it is maintained, the company may pay an additional commission of not more than 5% on written premiums in lieu of increasing this reserve item above the amount specified as an effective minimum.

(d) If any insurance company affected by this Regulation is required by the application to it of any provision of Title 37, Code of Laws of South Carolina of 1952, as amended, to set up or to maintain reserves which in the aggregate or for specific liabilities will exceed the 45% of gross written premiums specified herein for credit insurance, the higher amount must be established to comply with the statute.

3. Every reinsurance agreement written in connection with credit insurance must be approved by the Insurance Department prior to the effective date thereof.

4. Monthly balances inclusive of any return commissions due shall be paid to the insurance companies, by the writing agents, not later than the fifteenth (15th) day of the month following the month in which the business is written. Delay by the insurance companies in negotiating or depositing the remittance is prohibited..

5. No person connected with a lending agency, directly or indirectly, shall adjust or attempt to adjust any credit insurance claim.

6. Payment of claims shall be made only by the insurer, and shall be paid to the creditor to reduce or extinguish the unpaid indebtedness unless waived in writing by the creditor and, wherever the amount of insurance may exceed the unpaid indebtedness, then any such excess shall be payable to a beneficiary, other than the creditor, named by the debtor or to his estate. The unearned insurance premium, if any, shall be similarly repaid and shall be computed as of the date of death or loss.

7. The agent shall furnish the borrower, within thirty days after a loan is made, a policy or certificate of insurance covering any insurance procured by or through the agent which shall set forth the amount of any premium or identifiable charge which the borrower has paid or is obligated to pay, the amount of insurance, the term of insurance and a complete description of the risks insured.

8. No insurance shall be written in connection with any loan whereof the cash to the borrower, actually received, is twenty (\$20.00) dollars or less.

9. The assessment or collection of policy writing fees on any policy of credit insurance is prohibited.

10. No borrower under the provisions of the Small Loan Act shall be charged any premium for lien-endorsement coverage.

11. No borrower under the provisions of the Small Loan Act shall be charged any premium for non-recording insurance coverage.

12. Every hospitalization or accident and health claim shall be supported by the certificate of a licensed medical physician, on the forms presently in use wherever practicable.

13. All claims shall be reported to the insurer by the lender within 48 hours after notice of such claim, whether notice has been presented orally or in writing.

14. All insurance written under the provisions of the Small Loan Act, except property insurance, shall be limited to coverage on a single interest or decreasing balance basis.

15. Every insurance company writing credit life insurance for a Small Loan licensee shall furnish copies of all death claims to the Small Loan Division of the Board of Bank Control, including in each instance the name of the Small Loan licensee through whom the death claim is paid.

16. Accident and health insurance shall be written to the nearest month on weekly re-payment loans. On monthly payment contracts, accident and health insurance shall not be written for a term in excess of the term of the note.

17. If the amount of the loan is not a multiple of ten (\$10.00) dollars, the amount of credit life insurance may be written at the next highest multiple of ten (\$10.00) dollars.

18. The periodic re-payment indemnity under accident and health insurance may be written for the next highest multiple of five (\$5.00) dollars.

19. Insurance companies writing credit insurance shall maintain adequate records so that full and detailed information as to premiums, claims and expenses, of such insurance will be available to the Insurance Department whenever requested by it.

20. Any plan which in effect, whether directly or indirectly, tends to evade the requirements and spirit of this Regulation is prohibited.

21. A copy of every agency contract or agreement in connection with writings of credit insurance in South Carolina shall be filed with this Department.

22. That Regulation dated July 29, 1960, and entitled "Insurance Written In Connection With The Small Loan Act" is hereby cancelled.

Definitions

(Filed in the office of the Secretary of State August 10, 1960)

1. Except as may be otherwise set forth by the Statutes of this State, the following words and phrases, whenever and wherever they appear in matters under the cognizance of this Commission, shall have the meaning ascribed herein:

Accepting insurer—The Company that agrees to insure the risk.

Acquisition cost—That portion of premium, or part of a rate, representing the costs of securing lines of insurance.

Adjustor—A person who determines the extent of insured losses and assists in settling, or attempts to settle claims, usually representing the insurer.

Admitted assets—Those assets of an insurer which conform to the regulations of the South Carolina Insurance Commission.

Advisory organization—An organization that formulates policy and principles without the authority to apply them.

Affiliate—A corporation of which a majority of the capital stock is owned or controlled by any or all of the stockholders, directors or officers of another corporation, who also own or control a majority of the stock of such other corporation.

Agent—As defined in Section 37-233 of the S. C. Code of Laws, 1952.

Alien insurer—An insurer formed under the laws of a country other than the United States of America, its States, Commonwealths, Territories or insular possessions.

All risks—A term commonly used in insurance to denote the coverage of damage or loss of property from all hazards except depreciation, deterioration and wear and tear.

Ancillary state—Any state other than a domiciliary state.

Appraisal—Estimate of value made by qualified, impartial and disinterested persons, duly appointed for such purpose.

Articles—Articles of incorporation and all amendments thereto.

Assessment—An apportionment or call made on the entire membership of a mutual company or association for definite contributions or payment of money on account of losses sustained by particular members.

Assigned risk—The protection of a specific insurance risk that has been directed to a given insurer by qualified authority.

Assuming insurer—The company, party to a reinsurance transaction, which assumes insurance, annuity and endowment risks.

Authorized insurer—An insurer duly licensed to do business in this State.

Average rate—A composite unit measuring the various perils of more than a single subject of insurance and usually at separate locations, expressed in dollars and cents per \$100.00 of protection.

Basic rate—The foundation unit expressed in monetary amounts to which fractional amounts are added to accurately develop the correct final rate for the insurance exposure.

Blanket coverage—Insurance which contemplates that the risk is shifting, fluctuating or varying, and which covers a class of property or persons rather than any particular thing or person.

Board of directors—Synonymous with board of trustees, and means the body having power and responsibility for the management and control of a corporation, fraternal benefit association or other association, by whatever name called, and the advisory body having similar powers in reference to a reciprocal insurer or Lloyds underwriters.

Broker—As defined in Section 37-201, S. C. Code of Laws, 1952.

Brokerage—Any arrangement or agreement whereby any agent can be held to be the agent of the insured and not of the insurer, or whereby an agent is permitted to solicit or place any class of insurance other than those authorized to be issued in South Carolina by such agent's insurer.

Bureau—An organization designed to render specific services in regard to insurance.

Capital—The aggregate amount paid in on the shares of capital stock of a corporation issued and outstanding, and equal to the par or declared value of the stock issued.

Capital stock—The aggregate amount of the par or declared value of all shares of capital stock.

Ceding company—The Company, party to a reinsurance transaction, whose insurance, annuity and endowment risks or obligations are assumed.

Certificate of insurance—A memorandum copy, complete or abbreviated, of an insurance contract.

Charter—The basic instrument, by whatever name called, prescribing the powers, purposes and organization of a corporation.

Chief Insurance Commissioner—The chief officer of the Insurance Department, appointed by the Insurance Commission.

Co-insurance—A stipulation or requirement that the insured undertakes to be his own insurer to the extent that he fails to maintain insurance of a given percentage of the value of the property against loss or damage.

Commission—That part of the premium paid to the agent as compensation for his services.

Corporation—Except as otherwise indicated, "corporation" means a corporation formed or existing under the laws of this State.

Debit—A defined geographical area assigned to a particular agent, usually for the writing of industrial insurance.

Debit agent—One who collects weekly, bi-weekly or monthly premiums from a number of policyholders, generally small policies, in a designated territory, and generally industrial insurance.

Decreasing interest insurance—Same as decreasing balance insurance. Insurance written on a risk, generally in connection with a loan, wherein the coverage decreases commensurate with the decrease of obligation.

Department—The Insurance Department of this State; also, the Insurance Commission of this State.

Deputy—The first, or other deputy chief insurance commissioner of this State, so appointed by the Chief Insurance Commissioner.

Deviation—A departure, either in rate or coverage, from the prevailing standards.

Dividend—The excess of premiums collected, over costs of insurance, returned or credited to the policyholder.

Domestic insurer—An insurer formed under the laws of this State.

Domiciliary state—The State in which an insurer is incorporated or organized, or, in the case of an insurer incorporated or organized in a foreign country, the State in which such insurer, having become authorized to do business in such State, has designated as its domiciliary State and/or State of entry into the United States.

Earned premium—That portion of the gross premium absorbed, at a given time, by costs of administration, risk, and profit.

Fire insurance and Allied lines—Insurance providing indemnity to the insured in case of loss or damage occasioned by fire and such other forms of property insurance as are undertaken by fire insurance companies in addition to marine and inland marine insurance.

Foreign insurer—An insurer, not an alien insurer, formed under laws other than the laws of this State.

Foreign domesticated insurer—A foreign insurer licensed to do business in this State.

Fraternal Benefit Association—As defined in Section 37-851, S. C. Code of Laws, 1952.

General Assets—All property, real, personal, or otherwise, not specifically mortgaged, pledged, deposited, or otherwise encumbered for the security or benefit of specified persons or a limited class or classes of persons and as to such specifically encumbered property the term includes such property or its proceeds in excess of the amount necessary to discharge the sum or sums secured thereby. Assets held in trust and assets held on deposit for the security or benefit of all policyholders, or all policyholders and creditors in the United States, shall be deemed general assets.

Gross Premium—The whole amount of the money consideration, given at fixed intervals during the lifetime of a policy of insurance, in exchange for the insurance set forth in the policy.

Group insurance—A form of personal insurance which is issued to members of an organized body qualified, and not specifically prohibited, to be an insured, in which individual insurances are placed upon the persons of each member of that group, but in which the group acts as an entity in the payment of premiums, inception of the contract, and the like.

Holding company—Has the same meaning as parent corporation (See "subsidiary").

Incorporator—A person, natural or corporate, who signs the articles of incorporation.

Insurance—A contract whereby one undertakes to indemnify another or pay a specified amount upon determinable contingencies.

- a. Accident Insurance—Insurance against loss or damage due to unexpected injury to the person insured and resulting in disability or death
- b. Casualty Insurance—Those forms of indemnity providing for payment for loss or damage, resulting from accidental or some unanticipated contingency, except fire and the elements.
- c. Credit Insurance—An indemnity to merchants or traders against the insolvency of customers to whom they extend credit and under the Small Loan Act, various insurances on the lives, property and health of borrowers to the extent of the amount loaned and unrepaid.
- d. Fidelity Insurance—Insurance against loss from the want of honesty, integrity or fidelity of employees or others in a position of trust.
- e. Fire Insurance—A contract of indemnity against loss by fire and lightning.
- f. Group Insurance—See specific heading.
- g. Health Insurance—A contract of indemnity against expense and loss of time resulting from disease.
- h. Industrial Insurance—A plan of insurance under which policies of a face amount not in excess of \$1,000.00 of insurance are issued in consideration of weekly, bi-weekly or monthly payments.

- i. Inland Marine Insurance—A contract of indemnity against loss suffered in connection with inland land or water transportation or with communications equipment.
- j. Liability Insurance—Insurance against loss or liability on account of bodily or property injury sustained by others.
- k. Life Insurance—A Contract whereby in consideration of the payment of premiums the insurer engages to pay a certain sum upon the death of the insured.
- l. Marine Insurance—A contract of indemnity against loss from marine perils.
- m. Reciprocal Insurance—See specific heading.
- n. Surety Insurance—An insurance contract whereby one, for a consideration, agrees to indemnify another against losses arising from the want of integrity, fidelity or solvency of employees and persons holding positions of trust, or against insolvency of losses from non-payments of notes and other evidence of indebtedness, or against other breaches of contract. As generally used, this insurance is synonymous with guaranty insurance.

Insurance rate—The mathematical figures per \$100 of insurance which determines the premium.

Insurer—Any legal entity, engaged or attempting to engage in the business of making insurance or surety contracts.

Level insurance—Insurance in which the amount of insurance benefit does not decrease during its term.

License—A certificate of authority, issued by a qualified public agency, to act within prescribed limits.

Lien—endorsement coverage—An endorsement added to an automobile physical damage policy indemnifying a lending agency against loss resulting from prior existing liens.

Lodge—As set forth in Section 37-852, S. C. Code of Laws, 1952.

Member—One who holds a contract of insurance or is insured in an insurance company other than a stock corporation.

Minimum surplus—The minimum amount by which the admitted assets of an insurer, over and above the capital stock, must exceed its liabilities, in order to be licensed to do business in this State.

Multiple line insurance—A policy of insurance insuring more than one class of risk.

Net premium—That portion of the gross premium remaining after adjustments of debits, credits and dividends.

Non-Recording insurance—An insurance contract protecting a lender from loss occasioned by his failure to record a mortgage given as security for the loan made.

Officer—Any person charged with active management and control, in an executive capacity, of the affairs of a corporation.

Parent corporation—See “subsidiary”.

Person—Any legal entity.

Policy—A Contract of insurance.

Policyholder—Holder of a contract of insurance.

Preferred claim—Any claim with respect to which the law of a State or of the United States accords priority of payment from the general assets of the insurer.

Premium—Money or any other thing of value paid or given in consideration of a contract of insurance.

Premium reserves—A fund set aside for the payment of future benefits under a policy.

Reciprocal insurance exchange—A group or association of persons co-operating through an attorney-in-fact for the purpose of insuring themselves and each other.

Reinsurance—The assumption of a portion of the risk on a policy by another insurer.

Renewal license—A license which becomes effective immediately following the termination of a license previously issued and in force, and which differs from such previous license only in respect to the date of expiration.

Return premium—Return to the policyholder of the unearned portion of a premium upon cancellation, or adjustment in rate, of a policy.

Single interest insurance—Insurance in which the benefit amount decreases during its term in accordance with pre-determined scale.

Shareholder—A holder of record of shares of stock in a corporation.

Short rate—A penalty rate, using percentages slightly higher than would result from pro-rata calculations.

Specific insurance—A contract of insurance which definitively describes the thing insured and the amount of insurance applying thereto.

Subsidiary—A corporation of which the majority of the capital stock is owned or controlled by another corporation, called the “parent corporation”.

Surplus to policyholders—The excess of total admitted assets over the liabilities of an insurer which shall be the sum of all capital and surplus accounts minus any impairment thereof.

Unauthorized insurer—Any insurer not authorized to do business in this State.

Unearned premium—That portion of the gross premium, at a given time, that is unearned or unexhausted by the earned premium.

Unearned premium reserve—Funds, equal to the unearned premium, set aside for contingencies.

Participation in Funds Created by Life Insurance Policies

1. No insurance company doing business in the State shall issue life insurance policies which contain provisions for the creation and maintenance of a fund to be distributed at the end of a period greater than five years to any group of policyholders and/or beneficiaries determined by

conditions of persistency and/or survivorship unless the amount of participation is specified in the policy.

Term Insurance Rule

1. The Term Insurance Rule of the South Carolina Inspection and Rating Bureau, filed and approved with this Commission, is established as uniform in this State and no deviations or separate filings departing from the said Rule will be accepted.

Windstorm and Hail \$50.00 Deductible Clause

1. The rules of the South Carolina Inspection and Rating Bureau filed and approved with this Commission with respect to the \$50.00 Deductible Clause for Windstorm and Hail are established as uniform in this State and no deviations or separate filings departing from said rules will be accepted.

Term of Automobile Liability Policies

1. No Automobile Liability Policy will be issued for a term in excess of twelve months.

Reciprocal Agreement South Carolina/Georgia

1. So long as the Insurance Commissioner of the State of Georgia, by agreement duly made for the benefit of both States, continues to license South Carolina residents of North Augusta, as fire and casualty agents for the vicinity of Augusta, in the State of Georgia, applications for licensing as fire and casualty agents for residents of Augusta, Georgia, will be considered, and, if otherwise qualified, approved for licensing in North Augusta, and Beech Island, South Carolina; Provided, however, that the authority to do business in this State shall be restricted to, and the license shall be so marked, to the limits of North Augusta and Beech Island, South Carolina.

Adjustment of Claims Under Unusual Circumstances

1. Licensed Adjusters in South Carolina are authorized to adjust claims for unlicensed companies under the following circumstances:

- (a) Where the insured has an accident in South Carolina but is not a resident, being in a status of a transient.
- (b) Where the insured is a new resident in the State and has an unexpired policy of an unlicensed company purchased before he moved into the State.

2. The law provides the conditions under which a Non-Resident Adjuster may be licensed. In event of a catastrophe where there are insufficient licensed Adjusters in South Carolina to handle claims expeditiously, Non-Resident Adjusters will be permitted to enter the State to handle the adjustments arising out of the catastrophe without being required to be licensed in South Carolina, provided that the Adjuster exhibits evidence of an Adjuster's License in his home state and remains in the State only for the period that is necessary to assist in the adjustments. This Depart-

ment will determine and announce when an emergency or catastrophe exists and also will determine and announce the expiration of the period of emergency or catastrophe.

The following supersedes rules and regulations relating to investments filed in the office of the Secretary of State July 7, 1960

Investments

1. Investments made by domestic incorporated insurers (including domestic mutual protective associations and companies formed by special acts of the General Assembly) and foreign insurers, seeking domestication in this State, shall be in conformance with the following provisions, or be otherwise deemed assets not admitted for purposes of reports to this Commission. All domestic insurers now having investments not in conformance herewith, shall be allowed a period of ten years from the date of issuance of this Regulation to comply herewith.

- (A) Bonds or other evidence of indebtedness of the United States, of any State, the District of Columbia, territory or possession of the United States or the Dominion of Canada or of any province thereof, valued in accordance with methods and amounts as determined by the Committee on Valuation of Securities of the National Association of Insurance Commissioners, otherwise by methods approved in writing by the Chief Insurance Commissioner, where neither is in conflict with statutes of the state of South Carolina.
- (B) Bonds or other evidence of indebtedness of any county, city, town, village, school district, municipal district, or other civil district within the United States, or the Dominion of Canada, if such securities are not in default as to principal or interest at the time of purchase. Such securities are to be valued in accordance with methods and amounts as determined by the Committee on Valuation of Securities of the National Association of Insurance Commissioners, otherwise by methods approved in writing by the Chief Insurance Commissioner, where neither is in conflict with statutes of the state of South Carolina.
- (C) Loans secured by first mortgages or deeds of trust on improved unencumbered real estate in the United States and its possessions or the Dominion of Canada, or the entire issue of bonds secured thereby, in an amount not exceeding seventy per cent of the fair market value of such real property, based on the lesser of at least two sound appraisals by competent appraisers and duly certified thereto, provided that the investment in any one mortgage or in any one issue of bonds does not exceed twenty thousand dollars or ten per cent of the company's admitted assets, whichever is greater; and may also loan upon the security of improved unencumbered real property in any state, if the security is eligible for insurance and is insured under provisions of the National Housing Act and any amendments thereto. Where improvements on the land constitute a part of the value on which the loan is made, the

improvements shall be insured against fire and tornado for the benefit of the mortgagee, in an amount not less than the difference between seventy per cent of the value of the land and the amount of the loan. Real estate shall not be deemed to be encumbered within the meaning of this regulation by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights of way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants nor when such real estate is subject to lease in whole or in part, whereby rents or profits are reserved.

The above limitation of seventy per cent shall not apply to first mortgages or deeds of trust accepted as part payment for real estate sold by the insurer, except such mortgages shall not exceed the bona fide insurer's purchase price of such real estate or seventy per cent of the fair market value, determined as explained above, whichever is greater.

- (D) Such land and buildings thereon in which the company has its principal office and such real estate as shall be requisite for the convenient transaction of its own business; the amount invested in such real property shall not exceed twenty-five per cent of the company's admitted assets but the Chief Insurance Commissioner may grant permission to the company to invest in real property for such purpose in such increased amount as he may deem proper upon a hearing held before him.
- (E) Real estate and improvements thereon for business or residential purposes acquired as an investment for the production of income. Real estate acquired and improvements made thereon under this item shall be separate from that which is authorized under item (D) above and shall not exceed in the aggregate an amount equal to ten per cent of the insurer's admitted assets, except such limitation shall not apply to real estate acquired by bona fide mortgage foreclosure, provided the insurer has had title to such real estate for less than a five year period.
- (F) Unencumbered fee in real estate, or certificates evidencing participation with another insurance company or not more than four other insurance companies in the ownership of an unencumbered fee in real estate which is leased under a lease contract wherein the lessee contracts to pay all assessments, taxes, maintenance, and operating cost and the net amount of the annual lease payments to the owner of the fee are sufficient to amortize the cost of the fee within the duration of the lease, but in no event for a longer period than forty years, and in addition to pay at least three per cent a year on the unamortized balance of the cost of the fee. The amount invested in any such fee shall in no case exceed its appraisal value. In any case where an insurance company owns less than the entire fee thus leased, the legal title to the fee shall be in the name of a

trustee, which trustee shall be a solvent bank or trust company having a paid-in capital of not less than two hundred fifty thousand dollars, except in case of banks or trust companies incorporated under the laws of the State of South Carolina, wherein a paid-in capital of not less than one hundred thousand dollars shall be required. The trust agreement shall provide, among other things, that upon proper notification of default under such lease and request to such trustee by a company or companies representing at least twenty-five per cent of the equitable ownership of the fee, and proper indemnification, the trustee shall proceed to protect the rights and interest of the companies owning the equitable title to the fee.

- (G) Bankers acceptances and bills of exchange of the kinds and maturities made eligible by law for re-discount with Federal Reserve Banks, if they are accepted by a bank or trust company incorporated under the laws of the United States, of this State or any other bank or trust company which is a member of the Federal Reserve System, but not more than five per cent of the admitted assets shall be so invested.
- (H) Bonds, debentures, notes or other evidences of indebtedness or the preferred or guaranteed stock or shares of any solvent institution created or existing under the laws of the United States or of any state, District of Columbia, territory or possession thereof or of the Dominion of Canada or of any province thereof, (1) if such securities at time of purchase, meet the standards of eligibility for amortization as determined by the Committee on Valuation of Securities of the National Association of Insurance Commissioners, or (2) if such securities have a stated association value, either given in writing or published by the Committee on Valuation of Securities. No insurance company shall invest in its own stock, and may not invest more than ten per cent of its total admitted assets in stock or bonds of any one corporation as above described. Such securities are to be valued in accordance with methods and amounts as determined by the Committee on Valuation of Securities of the National Association of Insurance Commissioners.
- (I) Loans upon the pledge of any of the securities listed in the preceding items if the value to such pledged securities shall be at all times during the continuance of such loans at least twenty-five per cent more than the unpaid balance of the amount loaned on them.

Such loans may also be made upon the pledge of common stocks which qualify under (K) below, provided the loans on common stocks under this provision combined with investments in common stock do not exceed the limitations specified in (K) below.
- (J) Investments authorized by Sections 37-149.1 and 37-149.2, Code of Laws of South Carolina, 1952, as amended.
- (K) Common stocks in accordance with (A) and (B) below not to exceed twelve and one-half per cent of the admitted assets of any insurer selling life insurance or forty per cent of the admitted assets

of any insurer selling fire and casualty insurance unless such insurer sells non-cancellable, guaranteed renewable, accident and health insurance. If non-cancellable, guaranteed renewable insurance is sold the twelve and one-half per cent limitation shall apply.

- (a) Any common stock listed in the applicable publication of the Committee on Valuation of Securities of the National Association of Insurance Commissioners, or if not so listed valued according to the applicable rule established by said Committee.
 - (b) Common Stock of any corporation, not otherwise qualified above, organized under the laws of the United States or Canada, and which shall have had earnings available for payment of dividends on its common stocks of not less than two hundred thousand dollars a year, for not less than three of the five years next preceding the purchase of such stocks, except that in cases of corporations having majority of their operations in this State, the requirements as to the amount of earnings available for payment of dividends on its common stocks shall be fifty thousand dollars a year. Such stocks are to be valued in accordance with written quotations of a reputable stock exchange or licensed stock broker, otherwise by written instructions of the Chief Insurance Commissioner.
- (L) Shares, interests, or participating certificates in any management type of investment trust, corporate or otherwise, if the assets of such investment trusts are not less than five million dollars at date of purchase; but not more than five per cent of the admitted assets of any insurance company may be so invested.
- (M) Any such insurer may also purchase for its own benefit any policy of life insurance or other obligation of the company and claims of the holders thereof, and if a life company, may lend to the holders of its life insurance policies sums not exceeding in any case the reserve value of the policy at the time the loan is made and for the payment of any such loan, the policy and all profits thereon shall be pledged.
- (N) Every such insurer may invest not more than twenty-five per cent of that portion of its funds as is in excess of the sum of its total liabilities and capital, as shown by its latest annual statement on file with the Insurance Commission, and computed in the same manner as required by the annual statement, but in the aggregate not more than five per cent of its admitted assets, in property, either real or personal, or mixed, not otherwise qualified for investment, subject to the approval of its board of directors. Total liabilities, for purposes of this provision shall be deemed to exclude capital and both special and unassigned surplus. Any investment which at the time of its acquisition was qualified only under the provisions of this subsection but which has subsequently and while owned by such company become of such character as to be otherwise qualified for investment shall not be included in

determining the amount of the aggregate investment of such company qualified under this subsection, nor shall investments otherwise qualified at the time of their acquisition be included in making such determination.

- (O) Other provisions of this regulation notwithstanding, any domestic stock or mutual insurance company, and any domestic assessment association, which has accumulated and maintains reserves and either surplus or contingency funds at least equal to those required by law, or by the order of the Insurance Commission, of either a stock or a mutual insurance company authorized to write the same kind or kinds of insurance, may be empowered, with the approval of the Chief Insurance Commissioner, to establish, purchase, or otherwise acquire one or more subsidiary insurance companies. Such subsidiary companies may be authorized to write the same kind of insurance as the parent company or to write a kind or kinds of insurance which the parent company is not authorized to write.

Values of such stocks shall be determined in accordance with the methods established by the Committee on Valuation of Securities of the National Association of Insurance Commissioners.

2. Such limitations or restrictions imposed herein shall be applied to all applicable assets of such insurers, except nothing contained herein shall serve to reduce any securities or investment held at the time of the effective date of this regulation or shall serve to increase the investments if such investments, on said date, are equal to or in excess of the limits herein prescribed.

3. No provision of this regulation limiting or restricting loans by such insurers or prescribing the security therefor shall apply to any loans which are fully guaranteed by the United States, or any agency thereof, or to any non-guaranteed obligations of agencies and instrumentalities of government; Provided investments in such non-guaranteed obligations are confined to obligations as listed in this category by the Committee on Valuation of Securities of the National Association of Insurance Commissioners and valued in accordance with methods and amounts determined by said Committee.

4. Nothing contained herein shall be interpreted to mean that the Chief Insurance Commissioner shall admit any asset held by any insurer prior to the date of this regulation if said asset would not have been admitted otherwise.

Modification to Regulation

(Filed in the office of the Secretary of State February 10, 1961)

Paragraph 1C of the above Regulation is modified as follows:

Add to Paragraph 1C:

* Loans secured by first mortgages on leasehold estates having an unexpired term of not less than 35 years, inclusive of the term or terms which may be provided by enforceable options of renewal shall be per-

mitted under the terms of this Section, subject to all provisions thereof, provided the underlying real property is not subject to any prior lien, further provided that the loan agreement provides for amortization of principal to be made annually or more frequently over a period of not more than 25 years, and further provided that the mortgagee is entitled to be subrogated to all rights under the leasehold and there is no condition or right of re-entry or forfeiture not insured against under which the insurer is unable to continue the lease in force for the duration of the term.

Agents, Brokers and Adjusters Licensing Procedures

(Filed in the office of the Secretary of State August 10, 1960)

1. Agents Qualification Examination:

- a. Information Manuals to be used by agents in taking written examinations are to be obtained at State Commercial Printing Company.
- b. An agent who fails his written examination during his temporary license period (90 days) may retake same but not on the same day. If he again fails he is ineligible to take the examination for six months. A second temporary license is not issued. An agent starting back to work after a six months suspension must satisfactorily complete the required examination before a license is issued.
- c. Effective September 1, 1960, the Industrial Life, Accident and Health examination will no longer be given as a separate examination. Subject to paragraph 1. (b), a single, composite examination for life agents will be given. Ordinary and Industrial lines will be combined into one composite examination and agents representing companies selling either one or both will take the combined examination.

2. **Adjusters Qualification Examination:** Effective September 1, 1960, all persons applying for an Adjuster's license who are not licensed as such at the time application is made therefor, will be required to take, and pass, an Adjuster's examination. The examination will include, among other things pertinent to the field of adjusting, those matters generally asked of agents pertinent to Casualty insurance. Upon receipt of the Adjuster's application, the applicant will be notified when and where to report for examination.

3. **Retention of License Fee:** When a requisition for a license is received and the necessary records are started, a credit or a refund of the license fee will not be made. The single exception to this is when an agent's renewal license is cancelled prior to the beginning of the new license year for which requisition has been made and the license fee paid.

4. **Examination Points.** Effective September 1, 1960, agents' examinations will be given at only four points, Greenville, Florence, Charleston and Columbia, as follows:

- a. At Greenville they will be given twice weekly, Tuesdays and Thursdays at the Old County Courthouse on Main Street, commencing at 9:00 A. M.

- b. At Florence they will be given once a month, the first Tuesday, at the County Courthouse, commencing at 9:00 A. M.
 - c. At Charleston they will be given twice a month, the first and third Fridays at the County Courthouse, commencing at 9:00 A. M.
 - d. At Columbia they will be given each Monday, Wednesday and Friday at the Insurance Department, Federal Land Bank Building, 1401 Hampton Street.
5. Agents and applicants for Adjuster's license will report promptly for their examinations in Greenville, Florence and Charleston. In Columbia examinations are given during office hours, 9:00 A. M.—5:00 P. M. on the days scheduled. Examinations are not given on State holidays.

Modification to Regulation

(Filed in the office of the Secretary of State August 21, 1960)

The above regulation is modified as follows: delete the word "Thursday" in paragraph 4a and insert instead thereof the word "Wednesday" so that said paragraph 4a shall read as follows: "At Greenville they will be given twice weekly, Tuesdays and Wednesdays, at the Old County Courthouse on Main Street, commencing at 9:00 A. M."

Advertisements

(Filed in the office of the Secretary of State August 10, 1960)

1. No unauthorized foreign or alien insurer shall make, issue or circulate, or cause to be made, issued or circulated, to residents of this State, and no domestic insurance company of this State shall make, issue, or circulate, or cause to be made, issued, or circulated, in any foreign state, any estimate, illustration, circular, pamphlet, letter, announcement or statement by any media whatsoever, misrepresenting its financial condition, the terms of its contracts or benefits promised thereby, or the dividends or share of surplus to be received thereon. Violations within this State shall be immediately reported to the insurance supervisory official of the domiciliary state of such insurer, and upon receipt of information from the insurance supervisory official of a foreign state that a domestic company of this State has violated this regulation, prompt and appropriate action will be taken against the alleged violator. Any domestic insurance company shall be entitled to hearing as otherwise provided by law.
2. No Domestic insurance company of this State, and no foreign insurance company domesticated within this State, shall issue any policies, insurance contracts of any nature, or advertisements in any form whatsoever, in which the word "profit" is used in connection with insurance policies, or, is used as an inducement to the taking of insurance. Returns or redistributions of excess of premiums over costs shall be described with words of like import.

Liquefied Petroleum Gas

Promulgated under authority of Act No. 785 of 1952

(Filed in the office of the Secretary of State August 10, 1960)

1. All Liquefied Petroleum Gas accidents of any type shall be reported to this Commission within Seventy-two (72) hours after the occurrence. Reports of fires and explosions shall be as provided in Section 66-440.14 of the S. C. Code of Laws, 1952.

June, 1960, Standards of the National Board of Fire Underwriters Pamphlet No. 58, for the Storage and Handling of Liquefied Petroleum Gases is filed in the office of the Secretary of State. Those interested should refer to this copy.

Regulations to be Revoked

(Filed in the office of the Secretary of State August 10, 1960)

The below listed Regulations, by whatever name called, heretofore placed on file with the Secretary of State of South Carolina, are revoked:

1. That Regulation issued on August 27, 1947, and filed on June 15, 1948, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

2. That Regulation issued in March of 1949, and filed on June 13, 1949, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

3. That Regulation issued and filed on October 5, 1949, being regulatory of Liquefied Petroleum Gas and requiring reports thereon.

4. That Regulation issued and filed on December 5, 1950, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

5. That Regulation issued and filed on February 21, 1952, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

6. That Regulation issued in August of 1952 and filed on November 14, 1952, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

7. That Regulation consisting of Thirty-One separate bulletins numbered No. 1 through No. 31, issued during the years 1949 through 1953, filed on May 26, 1953, and consisting of general insurance regulations.

8. That Regulation issued in July of 1953 and filed on April 10, 1954, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

9. That Regulation issued in July of 1954 and filed on August 25, 1954, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

10. That Regulation issued and filed on December 20, 1954, being regulatory of the maintenance and distribution of life insurance policy funds.

11. That Regulation issued and filed on July 22, 1955, being amendments to NBFU No. 58.

12. That Regulation issued and filed on July 19, 1956, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

13. That Regulation issued and filed on August 9, 1956, being regulatory of Credit Life and/or Accident and Sickness Insurance and styled as Bulletin No. 57.

14. That Regulation issued on December 19, 1956, and filed on December 28, 1956, being regulatory of the licensing of Industrial Insurance Agents.

15. That Regulation issued on July 27, 1957, and filed on July 29, 1957, being regulatory of insurance written in connection with the Small Loan Act.

16. That Regulation issued July 29, 1957, and filed on July 31, 1957, being amendments to NBFU No. 58.

17. That Regulation styled an "Order" issued on August 22, 1957, and filed on August 26, 1957, being regulatory of insurance written in connection with the Small Loan Act.

18. That Regulation issued and filed on September 13, 1957, being regulatory of insurance written in connection with the Small Loan Act.

19. That Regulation, styled an "Order", issued on September 18, 1957, and filed on September 20, 1957, being regulatory of insurance written in connection with the Small Loan Act.

20. That Regulation, styled a "Cease and Desist Order", issued and filed on October 15, 1957, and being regulatory of Guaranties and Warranties.

21. That Regulation, styled "Bulletin 60", issued on October 1, 1957, and filed on November 12, 1957, being regulatory of Windstorm and Hail Insurance and other matters.

22. That Regulation issued on January 30, 1958, and filed on February 25, 1958, and being regulatory of insurance written in connection with the Small Loan Act.

23. That Regulation, styled an "Order", issued on April 22, 1958, and filed on April 23, 1958, being regulatory of Fire and Casualty Agents applications under S. C./Georgia reciprocal agreement.

24. That Regulation issued on July 7, 1958, and filed July 8, 1958, being the Standards of the National Board of Fire Underwriters, NBFU No. 58.

25. That Regulation, styled an "Order", issued and filed on October 31, 1958, being regulatory of insurance written in connection with the Small Loan Act.

26. That Regulation issued and filed on November 20, 1958, and re-issued and repromulgated on July 6, 1960, being regulatory of investments and styled "Regulation A".

27. That Regulation issued on March 31, 1959, and filed on April 6, 1959, being regulatory of licensing of insurance agents, and styled as "Bulletin No. 62".

28. That Regulation issued and filed on July 14, 1959, and being amendments to NBFU No. 58.

29. That Regulation issued and filed on November 30, 1959, being regulatory of insurance written in connection with the South Carolina Motor Vehicle Safety Responsibility Act, and styled as "Bulletin No. 64".

30. That Order of July 1, 1960, forwarded to the Secretary of State of South Carolina, under covering letter dated July 7, 1960.

Similarity of Names of Insurance Companies

(Filed in the office of the Secretary of State October 15, 1960)

It is the policy of this Commission that names of insurance companies doing business in this State must be distinctive and unlikely of confusion with others when discussed in ordinary conversation by persons of ordinary intelligence.

No insurance company shall be considered for admission to do business in this State unless at least two of the first three words in the name of such company are wholly different and distinctive from the first three words in the name of any insurance company licensed to do business in this State.

Annual and Short Term Automobile Policies

(Filed in the office of the Secretary of State October 26, 1960)

1. Companies or rating organizations desiring to use only one term as a basis for premiums (whether such term be three months, six months, annual or otherwise) may file their loss and expense figures and negotiate with this Department for approval of rate schedules.

(a) Appropriate short-rate tables must be submitted.

(b) Policies may be endorsed to provide coverage for multiples of the base term provided that, upon cancellation, each period will be considered separately; expired periods will be considered fully earned, periods not yet entered will be fully refundable, and current period will be cancelled either pro rata or short rate, whichever is appropriate under the circumstances.

2. Many companies wish to continue the issuance of annual policies but wish to be allowed to issue some contracts for shorter periods. It is under these circumstances that there arises the greatest possibility of discrimination between like insureds. If filings are to receive the approval of this Department, they must be drawn in such a way that no discrimination can result.

(a) Appropriate short-rate tables must be filed for each term for which policies will be written or some other equitable means provided for converting an approved short-rate table for use with policies written for terms other than that originally intended.

3. That Regulation entitled "Annual and Short Term Automobile Policies" and dated July 9, 1960, is hereby and herewith cancelled.

BOARD OF NURSING

Promulgated under authority of Section 56-967, Code of Laws of S. C., 1952

(Filed in the office of the Secretary of State July 24, 1960)

(References are to page and regulation numbers in Acts of 1959.)

Page	Regulation	Amendment
1430	5.1	Following the word prescription in the last sentence strike out the word or and insert in lieu thereof the word of.
1432	11.3 e.	Strike out the word citizens and insert in lieu thereof the word citizen.
1433	11.5 e.	Strike out the word citizens and insert in lieu thereof the word citizen.
1434	12.1 i.	Following the number 350 in line 5 strike out the word of and insert in lieu thereof the word on.
1435	12.3	Strike out the period at the end of the paragraph and insert the following: in the situation to which the respective regulation may apply.
1436	14.1	In the parenthesis following the last sentence strike out the number 6 and insert in lieu thereof the number 7.
1439	18.6 c.	Following the first sentence insert: Also at this time, a written statement of reason for desiring to establish an educational unit in nursing, and of financial and clinical resources must be submitted.
1439	19	In second line of the caption following the word nursing and preceding the word accreditation insert the word for.
NEW	22	Regulation No. 22— New Educational Unit in Nursing.

The following steps must be taken by an institution which desires to establish an educational unit in nursing in presenting evidence that it is prepared to meet standards prescribed by law and by the Board.

a. Request the advice of the State Board of Nursing for South Carolina as to basic essentials for establishing and maintaining an educational unit in nursing.

b. Submit a written statement of reason for desiring to establish an educational unit in nursing.

c. Submit a written statement of financial and clinical resources for the proposed program.

d. Request a survey visit from the State Board of Nursing for South Carolina.

e. File an application for permission to start the development of an educational unit in nursing when so advised by the State Board of Nursing.

NEW Regulation No. 23—Equivalency—Preparation for Practical Nursing (56-993) An approved or accredited course in practical nursing

shall constitute a program of instruction and related practice covering a period of twelve months or the equivalent thereof as determined by the Board. Such equivalent shall include, but not be limited to, partial preparation in an accredited school of nursing plus instruction in ethical conduct and practical nursing functions incorporated in the early part of the practical nursing curriculum and other courses and practice assignments as to be determined to be necessary for the individual on a basis of records of achievement, tests and personal data. No credit can be given for a course taken by mail or for experience gained through employment.

TAX COMMISSION

Soft Drinks—License Tax Division Regulation Number 7

Promulgated under authority of Section 65-651, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State August 25, 1960)

Any "bottled soft drinks" for which exemption is claimed under Section 65-765 of the Code of Laws for South Carolina for 1952, as amended, must be registered with the South Carolina Tax Commission. No such drinks shall be entitled to the exemption therein contained until such registration has been accomplished. Registration shall be accomplished by the filing of an affidavit of exemption, on forms to be prescribed by the South Carolina Tax Commission. All "bottled soft drinks" which are not registered and for which an affidavit of exemption is not on file, or which do not have affixed thereto the proper revenue stamps, lids, or crowns, shall be subject to confiscation, and the tax imposed under Chapter 10, Title 65, Code of Laws for South Carolina for 1952, as amended, shall apply to all sales of said product on and after July 1, 1960.

Regulation Number 9

(Filed in the office of the Secretary of State April 27, 1961)

Any "bottled soft drinks" for which exemption is claimed under Section 65-765 of the 1952 South Carolina Code of Laws, as amended, must be registered with the South Carolina Tax Commission. No such drinks shall be entitled to the exemption until such registration shall have been accomplished as prescribed herein. Registration shall be accomplished by the filing of an affidavit of exemption by the bottler on forms to be prescribed by the South Carolina Tax Commission. In addition to the affidavit to be filed by the bottler, such bottler shall obtain and file simultaneously an affidavit from his franchising manufacturer on forms to be prescribed by the South Carolina Tax Commission.

As a further requirement to qualify for the exemption the "bottled soft drink" lid or crown, or in the instance of bottled soft drinks offered for sale in sealed cartons or containers the said carton or container, must have the name and address of the bottler clearly indicated thereon.

All "bottled soft drinks", which are not registered and for which the required affidavits of exemption are not on file, and which do not show the

name and address of the bottler in the manner prescribed herein, or which do not have affixed thereto the required revenue stamps, lids, or crowns, shall be subject to confiscation.

Effective May 1, 1961, the provisions of Regulation Number 7, dated and filed with the Secretary of State on August 25, 1960, are rescinded.

Business License Stamps Regulation No. 8

The authority granted the South Carolina Tax Commission by Act No. 98 of the 1961 Acts & Joint Resolutions of South Carolina, (Section 65-721 of the 1952 Code of Laws for South Carolina) to sell business license stamps to nonresident taxpayers shall be exercised only where such taxpayer maintains his place of business and place of affixing such stamps in the state of his residence; Provided, such authority may be exercised in the case of taxpayers transacting business in states other than that of their residence when the laws and regulations of the state where the place of business and the place such stamps are to be affixed meet the test provided for in Act No. 98 of the 1961 Acts and Joint Resolutions of South Carolina, (Section 65-721 of the 1952 Code of Laws for South Carolina) as to reciprocity.

Beer and Wine Regulation No. 6

Promulgated under authority of Section 4-6, Code of Laws of S. C., 1952
(Filed in the office of the Secretary of State November 21, 1960)

Retailers are hereby prohibited from purchasing beer or wine from wholesalers on credit. For the purposes of this Regulation, a credit transaction is defined as any sale of beer or wine by a wholesaler or purchase thereof by a retailer by any means whatsoever except cash, Money Order or bona fide check at the time of delivery or prior thereto.

For any violation of the foregoing, the Tax Commission may either suspend or revoke the beer and wine permits of the dealers involved in the credit transaction, or impose monetary penalties upon the holders thereof, within the limits prescribed by Law.

Alcoholic Liquors Regulation No. 11

(Filed in the office of the Secretary of State May 12, 1961)

Regulation No. 11 pertaining to alcoholic liquors, filed in the Office of the Secretary of State on July 6, 1945, is hereby amended by striking out all of said Regulation and substituting in lieu thereof the following Regulation which shall be hereafter known as Regulation No. 11.

No alcoholic liquors may be transferred from one retail liquor location to any other retail liquor location without special permission of the Tax Commission.

For any violation of the foregoing, the Tax Commission may either suspend or revoke the retail liquor licenses of the dealers involved or

impose monetary penalties upon the holders thereof, within the limits prescribed by law.

Regulation No. 24

The retail sale and delivery of alcoholic liquors must be completed on the inside of a retail liquor store and the merchandise may be removed from the store only by the purchaser thereof or his agent.

Under no circumstances may a licensee or his agent or employee deliver alcoholic liquors to anyone outside of a liquor store building.

Beer—Alcoholic Beverage Division

Regulation No. 7

(Filed in the office of the Secretary of State June 14, 1961)

It has been called to the attention of the South Carolina Tax Commission by certain members of the General Assembly, who have filed statements thereabout with the Commission, that it was not the intention of the South Carolina General Assembly in enacting Section 65-747 of the 1952 South Carolina Code of Laws, as amended, to require the filing of the ninety (90) day written notice with The South Carolina Tax Commission by manufacturers and wholesalers prior to any change in their distributors or in the territories of their distributors, where both the manufacturer and the wholesaler mutually agree in writing to waive the said ninety (90) day written notice requirement.

Based upon the aforementioned declarations of legislative intent pertaining to the enactment of Section 65-747 of the 1952 South Carolina Code of Laws, as amended, the South Carolina Tax Commission, in instances where both the manufacturer affected and the wholesaler affected mutually agree in writing to waive the aforesaid ninety (90) day notice prior to change in their distributors or in the territory of their distributors, will consider the filing of the waiver agreement with the said South Carolina Tax Commission sufficient compliance with the provisions of said Section 65-747 of the 1952 South Carolina Code of Laws, as amended.

Until the mutually executed waiver agreement is duly filed with the South Carolina Tax Commission, and in form and content acceptable to the Commission, the waiver of the notice requirements of Section 65-747 of the 1952 South Carolina Code of Laws shall not become effective.

Effective June 14, 1961.

INDEX

References are to pages

ABANDONMENT

(1961)

Of children, termination of parental rights, 607

ABBEVILLE, CITY OF

(1961)

Election of aldermen, 568

ABBEVILLE COUNTY

(1961)

Abbeville, City of, election of aldermen, 568

Appropriations, 755

For land for enlarging armory, 260

Building permits for construction and additions, 9

Deposits of interest received, 260

May close certain roads, 754, 755

May transfer funds, 753

Office of county attorney abolished, 764

School trustees, election of, 99

Taxes, 755

Deposit of, 37

ACTIONS OR SUITS

(1961)

Appeals

From clerks of courts decisions by landowners in drainage or levee districts, 43

From municipal courts in cases involving children, 5

From municipal or magistrates' courts, notice of, 7

To Supreme Court

Of decisions of boards of adjustment, 8

Of planning commission decisions, 7

Regarding injunctions or receivers, 12

ACTS CITED BY POPULAR

NAME

(1961)

Admissions Tax Act, amended, 466

Boating Act, amended, 588

Estate Tax Law, 631

ACTS CITED BY POPULAR

NAME—Cont'd

Garnishment Law, 450

General Appropriations Act, State, 288

Horse and Dog Lien Act, 135

Milk Law, 512

Nuclear Compact Act, 570

Prison Use Law, 471

Supplemental Appropriations Act, State, 539

Uniform Gifts to Minors Act, 554

Uniform Securities Act, 185

Uninsured Motorists Act, amended, 155, 462

Visiting Teachers Law, 617

ACTS AND JOINT RESOLUTIONS AMENDED

(1961)

1920, No. 769, Section 15 repealed, Florence County, election concerning taxes for library purposes, 1077

1928, No. 1000, Richland County, Columbia Township Auditorium, trustees, 1453

1937, No. 341, Dorchester County Hospital, membership of board increased, 1024

1938, No. 1287, Spartanburg Metropolitan Sub-district B, 1505

1941, No. 252, Spartanburg County, charity patients, employ charity investigator, 1544

1944, No. 555, Charleston County, Ashley Fire Protection District, area and assets, 931

1947, No. 365, Chester County Hospital Board, 949

1949, No. 442, Charleston County, area of Ashley Garbage Disposal District, 916

1949, No. 443, Charleston County, St. Andrews Public Service District Area, 917

Members, 929

1950, No. 1022, Beaufort County, Board of Education, members of, 154

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

- 1951, No. 230, Greenville County, Gantt Water and Sewer District may be added to Commission of Sanitation of Greater Greenville Sewer District, 1107
- 1952, No. 711, Dillon County centralized school districts to have five members, 582
- 1952, No. 788, amendments to laws governing cooperative credit unions, 175
- 1952, No. 788, cooperative credit unions may borrow from savings and building and loan associations, invest in savings and loan associations, 674
- 1952, No. 812, Fairfield County, school board membership increased, 492
- 1952, No. 836, Mentally ill or deficient, admittance of to Veterans Administration hospitals, 411
- 1952, No. 853, Greenville County School District No. 520, election of trustees, Boiling Springs included, 95
- 1952, No. 898, Sections 71, 72, 73, Game Zone 1, trout, unlawful to catch or have possession of during closed season, 136
- 1952, No. 898, Section 84, Subsection (c), Game Zone 2, size limit of fish caught in certain lakes, 152
- 1952, No. 898, hunting licenses, non-resident, fees for increased, 439
- 1952, No. 898, blind residents, Boy or Girl scouts may fish or hunt without a license, 452
- 1953, No. 99, Civil and Criminal Court of Horry, 139
- 1953, No. 139, State Institution bonds, issuance of, 476
- 1954, No. 541, economic poisons, regulation of, 279
- 1954, No. 602, Social Security, retroactive coverage, employees of State and subdivisions, 28
- 1954, No. 610, State employees and teachers, minimum retirement pay increased, 544
- 1954, No. 640, Section 4, Subsection (e), fishing, use of lights while, 152
- 1954, No. 644, Part III, Section 2, General Fund Reserve, 403
- 1954, No. 644, Part III, Section 5, Secretary of State, fees charged by, deleted, 621
- 1954, No. 855, Greenville County, Gantt Water and Sewer District,

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

- collection and disposal of garbage, 1108
- 1955, No. 33, Social Security, retroactive coverage, employees in State Retirement System, 27
- 1955, No. 48, Berkeley County tax exemption extended to certain industries in, 132
- 1955, No. 52, Visiting teachers redesignated as attendance supervisors, 617
- 1955, No. 79, Union County Board of Education to estimate funds for educational program, tax levy, 448
- 1955, No. 312, Lee County Board of Tax Appeals, members of, 85
- 1956, No. 667, Game Zones 2 and 4, Wildlife Resources Department may make studies of and declare open seasons on deer and turkey in, 460
- 1956, No. 701, Taxes payable as condition to motor vehicle licensing and registration, 160
- 1956, No. 714, Spartanburg County magistrates, number and jurisdiction of, 503
- 1956, No. 782, Marlboro County, board of education and administrative school areas, appointment, terms, vacancies of board members and trustees, 702
- 1956, No. 782, Marlboro County Board of Education to submit school operating budget, 566
- 1956, No. 790, Sumter County Board of Fire Control, tax levy by to pay notes, 675
- 1956, No. 821, Sections 2, 6, and 15, State Ports Authority, bond issue by for grain facilities, payment of and issuance deadline, 401
- 1956, No. 832, Jasper County Development Board, composition, powers and duties of, 26
- 1956, No. 860, Section 6, Horry Civil and Criminal Court, 146
- 1956, No. 881, Greenville County Supervisor, use of county machinery and prison labor by, 630
- 1956, No. 1101, Spartanburg County, Woodruff-Roebuck Water District, 1508
- 1957, No. 11, Jasper County Board of Education, terms, members, appointments, 710
- 1957, No. 19, Easley, City of, complaint to Civil Service Commission or majority thereof by em-

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

- employees of fire or police departments, 109
- 1957, No. 108, Vocational Rehabilitation, definition of physically handicapped enlarged; self care rehabilitation, services for; custodial care of, 256
- 1957, No. 185, Colleton County Development Board, powers and duties of, 103, 710
- 1957, No. 217, Marion County Planning and Development Board, membership of increased, 629
- 1957, No. 228, Charleston County, St. Andrew's Parish Parks and Playgrounds Commission, territorial jurisdiction redefined, 239
- 1957, No. 330, Florence Civil Court, salary of judge, 690
- 1957, No. 360, Game Zones 2 and 3, open season for shooting preserves in on pen-raised game, 459
- 1957, No. 360, Game Zone 6, open season for shooting preserves in on all types of pen-raised game, 442
- 1957, No. 446, Chester County officers to issue receipts for fines and licenses, personal liability of, 704
- 1958, No. 809, Section 4, Quail, tag for commercial purposes reduced, 135
- 1958, No. 874, Union County, voting precincts in for election of school officials, 87
- 1958, No. 838, Charleston County, judge of probate, fees for general guardians and lunacy commitments, 235
- 1958, No. 885, Hanahan Public Service District, building permits to be issued by district commission, 672
- 1958, No. 886, business development corporations, short term loans, 499
- 1959, No. 99, Greenville-Spartanburg Airport District, bond issue for, 264
- 1959, No. 140, contractors, certain nonresident, withholding taxes of, typographical error corrected, 51
- 1959, No. 238, Income tax, portion of allocated to counties to be used by Department of Public Welfare for medical and hospital care of certain persons, 663
- 1959, No. 244, Saluda County, trustees of school district, advisory elections, terms of members extended, 699

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

- 1959, No. 253, boats and related equipment, regulation of ownership and operation of on the waters of the State, 588
- 1959, No. 297, Berkeley County Board of Review for tax assessments, membership and vacancies, 107
- 1959, No. 311, uninsured motorist fee, payment of once a year by person registering uninsured motor vehicle, 463
- 1959, No. 311, Section 14, Uninsured drivers' licenses, revocation of for points provisions deleted, license restored, 155
- 1959, No. 311, Section 15, subsection (a), motor scooters, motor bikes, registration and licensing of, 159
- 1959, No. 373, Section 23 repealed, Cherokee County, borrow money for schools, 933
- 1959, No. 392, Darlington County School District, borrowing by, 1002
- 1959, No. 433, Greenwood County Courthouse Committee, membership, 1158
- 1959, No. 441, Greenwood Metropolitan District, sewer service charges, 1173
- 1959, No. 455, Lancaster County Water and Sewer District, contracts for service, 1278
- 1959, No. 544, York County Hospital, borrow money, continue special tax levy, 1585
- 1960, No. 697, banks, retention of certain records by no longer required, 160
- 1960, No. 779, Charleston County Board of Assessors, appeals from, functions to complement those of South Carolina Tax Commission, 34
- 1960, No. 800, Cherry Grove Beach, Town of, authorized to clean up vacant lots, 414
- 1960, No. 800, Crescent Beach, Town of, authorized to clean up vacant lots, 67
- 1960, No. 800, Loris, Town of, authorized to clean up vacant lots, 594
- 1960, No. 818, Section 9, prison made goods, moneys from to be used to discharge debt to Division of Sinking Funds and Property, 542

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

1960, No. 818, prison "use" law, raw agricultural products of prison labor exempted from, for certain period, 471

1960, No. 820, Bamberg County school districts, proration of cash, applications for building projects, 65

1960, No. 873, Section 4, Richland County Supervisor to be ex officio member of Richland County Rural Recreational Commission, 1

1960, No. 879, Spartanburg County, Croft Fire District, area of further specified, 250

1960, No. 893, loan agencies, time for reporting investigation of, extended, 726

1960, No. 912, winner of annual essay in contest sponsored by Governor's Committee on Employment of Physically Handicapped to receive scholarship, 91

1960, No. 927, Anderson County School District 2, issuance of bonds, 806

1960, No. 976, Section 23 repealed, Cherokee County, borrow money for schools, 933

1960, No. 1007, Florence County, Lynches Lake—Camp Branch Watershed Conservation District, area of, 1079

1960, No. 1017, Georgetown County, referendum by Pawley's Island Civic Association, 1090

1960, No. 1036, Section 17, Greenwood County, payment of hospital claims, 1157

1960, No. 1063, Lancaster County, bond issue, 1280

1960, No. 1114, Richland County, Jackson-Gills Creek Public Service District, 1447

1960, No. 1134, Lynchburg-Shiloh Watershed Conservation District in Sumter and Lee Counties, lands within Atkins Drainage District added to, 1545

1960, No. 1155, York County Hospital, membership of board increased, 1601

1961, No. 25, Dorchester County, practice of law by master of, 115, 182

1961, No. 76, Belton-Honea Path Water Authority, "patrons" defined, contracts with, election of members, vacancies, 536

ACTS AND JOINT RESOLUTIONS AMENDED—Cont'd

1961, No. 153, Oconee Soil Conservation District may exercise power of eminent domain, 586

1961, No. 207, Section 6, State employees and teachers, certain, technical correction relating to minimum retirement pay of, 544

1961, No. 555, Greenville County, Mauldin - Simpsonville - Fountain Inn Hospital District, 1108

1961, No. 567, Greenwood County, creation of watershed conservation districts, 1170

1961, No. 637, Richland County, sale of property near Veterans Hospital, 1458

ACTS AND JOINT RESOLUTIONS REPEALED

(1961)

1929, No. 418, Florence County, Coward Drainage District, 1078

1934, No. 1046, Hartsville Community Center building, bond issue for, 443

1949, No. 442, Charleston County, Ashley Garbage Disposal District, 932

1952, No. 747, dogs, capitation tax on and property status of, 418

1952, No. 831, Colleton County, election and terms of school trustees in, 122

1952, No. 963, Colleton County, sale of surplus school property, 122

1953, No. 126, Colleton County, application for and use of certain funds by school boards in, 122

1953, No. 230, Dairy Commission created, regulation of milk and cream, 512

1953, No. 322, Oconee County, schools in, 650

1955, No. 140, solicitors may order autopsies or post mortem examinations when coroner is unavailable, 278

1955, No. 255, Dairy Commission to establish milk purchasing plans, issue licenses and permits, 512

1955, No. 346, Spartanburg County, certain purchases by supervisor of, 689

1956, No. 638, minors, gifts of securities to, 554

1957, No. 164, Calhoun County, term of office of auditor of, 19

1957, No. 422, Richland County, requiring permits for improvements to real estate in, 716

ACTS AND JOINT RESOLUTIONS REPEALED—Cont'd

- 1958, No. 727, Game Zone 4, hunting of deer prohibited in, 460
- 1958, No. 735, Jasper County Development Board, increase in membership of, 26
- 1958, No. 827, Beaufort County, exporting of clams, 148
- 1958, No. 899, Jasper County Development Board, powers and duties of, 26
- 1959, No. 321, Medical College empowered to construct animal laboratory on James Island, 735
- 1960, No. 611, Saluda County magistrates, terms of office for, 71
- 1961, No. 109, Dorchester County, practice of law by master for, 182
- 1961, No. 138, Greenwood County municipalities, borrowing by boards of commissioners of public works of, 278
- 1961, No. 591, Lancaster County, borrow money, 1277

ADJUTANT AND INSPECTOR GENERAL

(1961)

- Appropriations for, 308
- Convey property to Beaufort County, 868
- Reconvey property in Chester County to J. P. Stevens & Co., 752

ADMINISTRATIVE REGULATIONS

Rules and Regulations (this index)

ADMISSIONS TAX

Taxation (this index)

ADOPTION

(1961)

- Of voluntarily abandoned children, 607

ADVANCE SHEETS

(1961)

- To receive copies of
 - County boards of commissioners, 296
 - County clerks of court, 296
 - Probate judges, 173

AERONAUTICS

(1961)

- Commission, State
 - Appropriations for administration, airport maintenance, equipment

AERONAUTICS—Cont'd

Commission, State—Cont'd

Appropriations for—Cont'd

maintenance, operation, regulation, training and inspection, and special maintenance fund, 378

Rules and regulations, parachute jumping, registration of aircraft, 1606

Dillon County Airport Commission created, 580

Greenville-Spartanburg Airport District, bond issue, 264

Oconee County, appropriation for construction of airport, 542

Richland-Lexington Airport District, 53

Richland County, Lexington County, City of Columbia to share in deficit financing, 119

AGRICULTURAL MARKETING COMMISSION

(1961)

Appropriations for, 363

AGRICULTURE

(1961)

Cotton

Licensing provisions for traffic in long, repealed, 9

Maximum rates to be charged for the storage of, repealed, 22

Department of, appropriations for, 360

Economic poisons, 279

Fairfield County Agricultural Board, 25

Fertilizer Control, rules and regulations, 1619

Peach packing sheds, employers and employees exempted from Workmen's Compensation law, 412

Receiving of farmers' and planters' books as evidence, repealed, 22

Seed certification, rules and regulations, 1618

AIKEN COUNTY

(1961)

Appropriations, 769

Bills or claims against, 785

Budget and Control Board may sell property situated in Aiken and Edgefield Counties, 752

Carnivals, circuses and traveling shows, bond required, 30

Employees

Disposition of appropriations in event of death, resignation or discharge, 785

AIKEN COUNTY—Cont'd

Employees—Cont'd

Sick leave, 785

Higher Education Commission, created, 105

May borrow money, 768

Langley Water and Sewer District may borrow money, 767

Library Board, contracts by, 785

Magistrates, terms and vacancies, 565

New Ellenton, Town of, tax levy, 487

Road to be closed, 768

Taxes, 769

Terms of circuit court, 409

AIRPORTS

Aeronautics (this index)

ALCOHOL AND ALCOHOLIC BEVERAGES

(1961)

Revenues derived from

To be used for state law enforcement and for administration of Alcoholic Liquors Division, 355

To go to special school fund, 289

Spartanburg County, use of confiscated vehicles by sheriff, 709

Tax on

Portion of to counties, 386, 402

Portion of to municipalities, 386

ALCOHOLIC REHABILITATION CENTER

South Carolina Alcoholic Center (this index)

ALLENDALE COUNTY

(1961)

Appropriations, 787

Clerk of court

Fees, 793

May destroy certain chattel mortgages, 692

Hospital may borrow money, 786

Library, created, 72

Taxes, 787

AMUSEMENTS AND ATHLETIC CONTESTS

See also Carnivals, Circuses and Traveling Shows (this index)

See also Parks and Playgrounds (this index)

(1961)

Athletic contests of colleges and universities no longer exempt from admissions tax, 466

AMUSEMENTS AND ATHLETIC CONTESTS—Cont'd

Certain golf tournaments may be held on Sunday, 98

ANALYSES

(1961)

Chemical, of dead bodies by Clemson College, repealed, 435

Of water supplies, 21

ANDERSON, CITY OF

(1961)

Magistrates having additional jurisdiction to maintain office in, 248

ANDERSON COUNTY

(1961)

Appropriations, 808

Belton-Honea Path Water Authority

Created, 76

"Patrons" defined, elections, vacancies, contracts with, 536

Clerk of court may destroy chattel mortgages which are over ten years old, 605

Fire Protection Commission created, 492

Magistrates in having additional jurisdiction to maintain office in City of Anderson, 248

Naming of streets and numbering of lots, 97

School District 2, bond issue election validated, 805

Taxes, 808

Transfer of funds for road improvements, 807

Watershed conservation districts may be formed, 795

ANIMALS

(1961)

Brucellosis, Clemson College to control, name of "Livestock Sanitary Department" changed to "Livestock and Poultry Health Department," name of federal agency "United States Bureau of Animal Industry" changed to "Animal Disease Eradication Division, United States Department of Agriculture," 441

"Bureau of Animal Industry" name changed to "Animal Disease Eradication Division," 434

Cattle

Approved accredited veterinarian for testing of, name of approving official changed from "Chief, Bureau of Animal Industry" to "Director

ANIMALS—Cont'd**Cattle—Cont'd**

- of Animal Disease Eradication Division," 438
- Bang's Disease, name of agency testing for changed from "Bureau of Animal Industry" to "Animal Disease Eradication Division," 436
- Calves, inoculation program for, name of agency changed from "United States Bureau of Animal Industry" to "Animal Disease Eradication Division, United States Department of Agriculture," 439
- Clemson Agricultural College, Livestock Sanitary Department, rules and regulations relating to health certificates for importation of certain animals, 1619
- Clemson Agricultural College to receive aid from "Animal Disease Eradication Division, U.S.D.A", 620
- Control of anthrax, rules and regulations, 1629
- Dogs, capitation tax, property status, repealed, 418
- Hauling for hire with teams, Fairfield County, repealed, 462
- Horses, requirement that they be furnished to deputy sheriffs, repealed, 497
- Medical College, authority to construct laboratory for on James Island, repealed, 735
- Stock, signing of petition before amending laws relating to, repealed, 21
- Swine, inoculation for cholera, word "virus" changed to "vaccine," 437
- Tuberculin tests, designation of agency with which Clemson Agricultural College is to cooperate changed to "Animal Disease Eradication Division, U.S.D.A.," 626

ANNEXATION

(1961)

- Application of statutes, when population increased by, 427

ANNULMENT

Marriage (this index)

APPEALS

Actions or suits (this index)

APPRENTICES

(1961)

- Laws relating to minor indentured apprentices, repealed, 100

APPROPRIATIONS BY

(1961)

- Abbeville County, 260, 755
- Aiken County, 769
- Allendale County, 787
- Anderson County, 808
- Bamberg County, 822
- Barnwell County, 836
- Beaufort County, 869
- Berkeley County, 883
- Calhoun County, 893, 894
- Cherokee County, 935
- For hospital, 935
- Chester County, 950
- Chesterfield County, 973, 974
- Clarendon County, 985
- Colleton County, 990
- Darlington County, for educational purposes, 1001
- Dillon County, 1010, 1011
- Dorchester County, 1025
- Edgefield County, 1052
- Fairfield County, 1058, 1061
- Florence County, 1075, 1080
- Georgetown County, 1094
- Greenville County, 1136
- Greenwood County, 1176
- Hampton County, 1211
- Horry County, 1236
- Jasper County, 1252
- Kershaw County, 1261
- Lancaster County, 1281
- Lee County, 1320
- Lexington County, 1333
- McCormick County, 1347
- Marion County, 1355
- Marlboro County, 1368
- Newberry County, 1377, 1380
- Oconee County, 1387
- Orangeburg County, 1402, 1404
- Pickens County, 1420
- Richland County, 1461
- Saluda County, 1495
- Spartanburg County, 1514
- Sumter County, 1546
- Union County, 1559
- Williamsburg County, 1577
- York County, 1588, 1589

APPROPRIATIONS FOR

(1961)

- Adjutant General, 308
- Adult schools, 316
- Aeronautics Commission, 378, 542
- Agricultural Marketing Commission, 363
- Agriculture Department, 360
- Archives Department, 324
- Area Trade Schools, 316
- Atlantic States Marine Fisheries, 384
- Attorney General, 303
- Auditor, State, 335

APPROPRIATIONS FOR—

Cont'd

Auditors, county, 302
 Bank Control, Board of, 374
 Board of Health, 343, 541
 Budget and Control Board, 335, 540
 Catawba Indian School, 316
 Children's Bureau, 331
 Circuit Courts, 297
 Citadel, The, 310
 Civil Defense Agency, 383
 Clemson College, 310
 Clemson College (Public Service Activities), 365, 540
 Code Commissioner, 292
 Comptroller General, 301, 540
 Confederate Museum, 385
 Confederate Pensions, 302
 Confederate Relic Room, 327
 Confederate War Centennial Commission, 384
 Contractors' Licensing Board, 358
 Contributions, 385
 Dairy Commission, 352
 Deaf and Blind, School for, 312, 540
 Denmark Area Trade School, 544
 Development Board, State, 380
 Educational Finance Commission, 319
 Employment Security Commission, 367, 723
 Forestry Commission, 364, 541
 Governor's Office, 298, 540
 Highway Department, 387
 House Journal, 294
 House of Representatives, 291, 540
 Industrial Commission, 368
 Industrial School for Boys, 334
 Industrial School for Girls, 334
 Industrial School for Negro Girls, 335, 541
 Industrial Schools' Board, 333
 Insurance Commissioner, 356, 541
 John de la Howe School, 311
 John G. Richards Industrial School, 335
 Judicial Council, 384
 Judicial Department, 296, 540
 Labor, Department of, 366
 Law Enforcement, 299
 Law Examiners, Board of, 298
 Legislative Council, 292, 540
 Legislative Department, 289, 539
 Lieutenant Governor's Office, 289, 300
 Medical College, 310
 Mental Health Commission, 329, 540
 Mental Health and Mental Institutions Committee, 384
 Miscellaneous appropriations, 384
 Opportunity School, 319
 Penitentiary, 333, 540

APPROPRIATIONS FOR—

Cont'd

Pineland Training School, 330
 Poet Laureate, 384
 Probation, Parole and Pardon Board, 332
 Public Service Commission, 376
 Public Welfare Department, 328
 Regional Education Board, 384
 Rocky Bottom Camp, 384
 School TV Committee, 384
 Schoolbook Commission, 323
 Secretary of State, 300
 Senate, 289, 539
 Senate Journal, 294
 Service Bureau, 359
 Soil Conservation Committee, 365
 South Carolina Alcoholic Center, 383
 South Carolina State College, 311
 South Carolina Sanatorium, 330
 South Carolina Library Board, 322
 South Carolina Retirement System, 340
 South Carolina School Committee, 384
 Special Services for both houses, 292
 State Employees compensation insurance, 384
 State Hospital, 330
 State Library, 326
 State Treasurer, 305
 Superintendent of Education, 312
 Supreme Court, 296
 Tax Commission, 352, 541
 Tax Study Commission, 384
 Technical Training Committee, 544
 Treasurers, County, 302
 University Centers, off campus, 384
 University of South Carolina, 309, 540
 Vocational Education, 316
 Vocational Rehabilitation, Department of, 319
 Water Pollution Control Authority, 351
 Whitten Village, 330
 Wildlife Resources Department, 370
 Winthrop College, 310
 Woodrow Wilson Home, 384

ARCHITECTURAL EXAMINERS, BOARD OF
 (1961)

Rules and regulations, 1608

ARCHIVES DEPARTMENT
 (1961)

Appropriations for, 324
 Calhoun Papers project, 325

ARCHIVES DEPARTMENT—

Cont'd

New publications to be furnished certain schools and colleges and offices, 326

Proceeds of sale of publications deposited in special fund, 326

Richland County Auditor may offer tax duplicates to, 37

AREA TRADE SCHOOL

(1961)

Appropriations for, 316

Denmark Area Trade School, 544

Tuition fees, maximum to be charged, use of, 319

ARMED SERVICES

(1961)

Children of members in, to be charged in state tuition, 396

Hampton County, members of, exempt from certain taxes, 1219

Law relating to taking of certain oaths by commissioned officers, repealed, 102

Members of, on furlough or leave may fish and hunt without licenses, 373

Military leave for State employees who are Coast Guard and Air Force reserve members, 104

ARMORIES

(1961)

Abbeville County, appropriation for enlargement of, 260

Newberry County to appropriate money for new armory at Whitmire, 1377

Property in Chester County to be reconveyed to J. P. Stevens & Co., 752

ARSENALS

(1961)

Purchase of land by United States for erection of, repealed, 421

ASHLEY RIVER

(1961)

Construction of bridge across, repealed, 606

ATLANTIC STATES MARINE FISHERIES COMMISSION

(1961)

Appropriation for, 384

ATOMIC ENERGY

Nuclear Energy (this index)

ATTORNEY GENERAL

(1961)

Appropriations, 303

For circuit court solicitors, 303
Contract for collection of debts due State, 304

Employment of attorneys only on consent of Attorney General, 304

Highway Department to pay share of administrative cost of, 388

Legal assistance for

Industrial Commission, 304

Insurance Department, 304

Public Service Commission, 304

Tax Commission, 304

ATTORNEYS

(1961)

Applicants for admission to practice of law in military service, repealed, 508

Dorchester County Attorney, 37

Greenville County water and sewer districts may employ, 1135

Investigation and proceedings in cases of misconduct, repealed, 507

Qualifications of applicants for examinations for admittance to bar, repealed, 508

AUCTIONEERS

(1961)

Bonds of, purchaser's liability, remedy against, responsibility for loss, repealed, 422

AUDITORS

(1961)

Appropriations for

County, 302

State, 335

Calhoun County, act relating to term repealed, 19

Orangeburg County, certain building reports to be filed with, 92

Richland County, transfer or destruction of tax duplicates, 37

Spartanburg County

Special auditor to report certain violations, 688

To issue building permits, 700

AUTOMOBILES

Motor Vehicles (this index)

AUTOPSIES

(1961)

Chemical analyses of dead bodies, 435

Coroner's jury in Spartanburg County to consist of only six men, 698

May be ordered by coroners or solicitors, 278

BAMBERG COUNTY

(1961)

Appropriations, 822
Schools, proration of cash between, applications for building project funds, 65
Taxes, 822
Terms of circuit court, 409
Town of Denmark changed to City of Denmark, 822

BANG'S DISEASE

(1961)

Name of agency testing for, changed from "Bureau of Animal Industry" to "Animal Disease Eradication Division," 436

BANK CONTROL BOARD

(1961)

Appropriations for, including examining division, small loan division, and other expenses, 374
Rules and regulations, 1608

BANKS AND BANKING

See also **Bank Control Board** (this index)

(1961)

Abbeville County, deposit of tax moneys in, 37
Records, certain, retention of no longer required, 160
Tax
 Portion of to counties, 386
 Portion of to municipalities, 386

BANOV, DR. LEON

(1961)

Continued employment of authorized regardless of age, 911

BARBER EXAMINERS, BOARD OF

(1961)

Rules and regulations, barber schools and colleges, shops, sanitary rules, 1613

BARNWELL, CITY OF

(1961)

Vacant lots, cleaning of, 669

BARNWELL COUNTY

(1961)

Appropriations, 836
Barnwell, City of, cleaning of vacant lots, 669
Board of Health created, 846
Clerk of Court
 Destroy old records, 838
 Fees, 837
Convey property to Wildlife Resources Department, 833

BARNWELL COUNTY—Cont'd

Cotton, charge for weighing, 846
Jurors, compensation of, 847
Library board, contracts by, 843
Magistrates, statements concerning fines, 847
Taxes, 836
 Exemptions, 845, 847
 Road tax, 844
Terms of circuit court, 409

BATHS

(1961)

Public, establishment of in cities of more than 20,000 population, repealed, 511

BEAUFORT COUNTY

(1961)

Adjutant General to convey property to, 868
Appropriations, 869
Board of Education, members of, 154
Bonded debt limitations, constitutional amendment deleting, ratified, 117
Clams, exporting of, 148
Committee for technical training, 627
Convey property to State for National Guard purposes, 867
Ferry service across MacKay's Creek and Skull Creek, provisions repealed, 419
Forest Beach Public Service District created on Hilton Head Island, 857
Fripp Island Toll Bridge Authority created, powers and duties, 240
Issue bonds
 For addition to jail, 848
 For farm to market roads, 851
Library created, 665
Magistrates, terms of, 89
Shrimp, commercial trawling for on Sunday, 147
Taxes, 869
 Exemptions for certain manufacturing or processing establishments, 17

BEEF

(1961)
Barrels of, provisions repealed, 425

BEER AND WINE

(1961)
Tax
 Portion of to counties, 386, 402
 Portion of to municipalities, 386
Union County, sale of, unlawful during certain periods, 1575

BELT LINES

Highways and Streets (this index)

BELTON, TOWN OF

(1961)

Belton-Honea Path Water Authority created, 76

"Patrons" defined, Town of Belton may contract with, elections for members, vacancies on authority, 536

BENET, DR. GEORGE

(1961)

Services of may be continued at State Hospital regardless of age, 330

BENNETTSVILLE, TOWN OF

(1961)

Tax levy for health and highway purposes, 585

BERKELEY COUNTY

(1961)

Appropriations, 883

Borrow

For general county purposes, 892

For schools, 893

Board of Review for Tax Assessments, vacancies, membership increased, 107

Boards of rural fire control established, 713

Goose Creek, Town of, terms of town officers increased, 671

Hanahan Public Service District
Commissioners of declared elected, 882

Issuance of building permits, 672

Roads may be closed, 883

Taxes, 883

Exemptions of certain industries extended, 132

Turkeys, male wild, open season on, 277

BISHOPVILLE, TOWN OF

(1961)

Council to recommend appointment of member of Lee County Tax Appeals Board, 85

BLACK RIVER

(1961)

Ferries across, provisions repealed, 420

BLACKSBURG, TOWN OF

(1961)

Commissioners of public works abolished, duties and powers devolved on mayor and councilmen, 626

BLENHEIM, TOWN OF

(1961)

Mayor and councilmen, terms, 692

BLIND

See also **Deaf and Blind, School for** (this index)

(1961)

Appropriations for, 328

May hunt and fish without licenses, 452

BLIND, ASSOCIATION OF

(1961)

Contribution to, 385

BOARDS OF HEALTH

County boards (see particular counties)

Health and Sanitation (this index)

BOATS

Watercraft (this index)

BONDS OR NOTES

See also **Securities** (this index) (1961)

Aiken County, traveling shows to post bond to insure sanitation, 30
Auctioneers, repeal, 422

Bonded indebtedness, Myrtle Beach, City of, election on without petition, for waterworks and sewage disposal, constitutional amendment ratified, 23

Bonded debt, limitation on

Beaufort County, provisions deleted from Constitution, 117

Florence County, School District 5, increase proposed, 720

Pickens County, School District A, 118

Williamsburg County School District, increased, 18

Charleston, City of, Municipal Yacht Basin revenue bonds validated, 905

Charleston County, surety bonds and recognizances, code section relating to, repealed, 94

Discharge of certain prosecutors or witnesses on own recognizances, 39

Hampton County, bonds of treasurer and any assistant, 449

BONDS OR NOTES—Cont'd
Issue

Aiken County
Langley Water and Sewer District, 767
Commission for Higher Education, 768
Allendale County, hospital, 786
Anderson County, School District 2, election validated, 805
Beaufort County
Addition to jail, 848
Farm to market roads, 851
Fripp Island Toll Bridge Authority, 243
Charleston County
Folly Island, 912
Insect control programs, 907
Property reassessment, 907
School District 10, 925
School District 20, 901
Cherokee County, School District 1, 933
Chester County Hospital, 948
Chesterfield County
Memorial Hospital, 962
School District 2, 961
Clarendon County Memorial Hospital, 987
Clemson Agricultural College, for housing facilities, 741
Colleton County, 988, 989
School District of, 122
Darlington County
For additional office facilities, 1004
School District, 1002
Dillon County, School District 2, 1009
Dorchester County
For new courthouse, 1035
School District 1, 1038
School District 2, 1041
Fairfield County, for schools, 1059
Florence County
School District 4, 1077
Timmonsville School District 4, 1073
Georgetown County, for schools, 1091
Greenville - Spartanburg Airport District, 264
Greenwood County
Finance Board, 1172
Lander Foundation, 1169
Hampton County, School District 2, 1209
Horry County
For industrial training school, 1235

BONDS OR NOTES—Cont'd
Issue—Cont'd

Horry County—Cont'd
Town of Ocean Drive Beach, validated, 1221
Jasper County Board of Education, 1251
Lancaster County, 1275, 1277, 1280
Repealed, 1277
Schools, 1279
Laurens County, if election favorable, 1305
Lexington County, 1331
Myrtle Beach, City of, for waterworks and sewage disposal without petition, 69
Newberry County, 1379
Hospital, 1378
Orangeburg County, Holly Hill School District 3, 1399
Pickens County, School District A, 1416, 1419
Provisions relating to elections before, for lighting, waterworks, fire protection or sewerage systems clarified, 511
Richland County, 1459
Columbia Hospital, 1448
School District 1, 1455
School District 2, 1443, 1444
School District 5, 1493
Township Auditorium, 1460
Spartanburg County, Startex-Jackson - Wellford - Duncan Water District, if election favorable, 1509
State Hospital, Whitten Village, for additional facilities at, 736
State institutions, 476
State Ports Authority, 401
State school bonds, limit on aggregate indebtedness, maturity date, 480
Masters of ships lodging seamen in jail to post bonds, 509
Revenue, Fripp Island Toll Bridge Authority may issue, 243
Surety bonds by landowners of drainage or levee districts making appeals, 43
BOWMAN, TOWN OF
(1961)
Governed by mayor and four aldermen, 67
BOY SCOUTS
(1961)
May hunt and fish without licenses, 452

BRIDGES

Highways and Streets (this index)

Railroads (this index)

BROAD RIVER

(1961)

Construction of bridge across between Fairfield and Richland Counties, repealed, 606

BROOKGREEN GARDENS

(1961)

Georgetown County, fish and game sanctuary area further defined, sign posting, fishing and hunting in prohibited, 132

BRUCELLOSIS

(1961)

Clemson College to control, 441

BUDGET AND CONTROL BOARD

See also **Sinking Funds and Property** (this index)

(1961)

Accept deed to property known as Camp Harry Daniels, 751

Appropriations for including civil contingent fund, sinking funds and property, buildings and grounds, office supplies and printing, purchasing, surplus property and retirement, 335, 541

Authorized to transfer funds of Alcoholic Rehabilitation from operation to construction fund, 542
Bushy Park, negotiations with and purchase of bonds from, authorized, 542

Civil contingent fund, not to be expended except on approval of Budget and Control Board, 341

Departments, institutions or agencies of State to submit budget plans, 392

Funds for educational purposes to be disbursed in the discretion of, 398

General Fund Reserve, use of by, 404

Highway Department to pay its share to

Purchasing Division, 388

Retirement System, 342

Independent accountants may be engaged, 341

May sell property situated in Aiken and Edgefield Counties, 752

Rules and regulations, records of retirement system members, 1618

Special insurance agents, employment of, 342

BUILDING AND LOAN ASSOCIATIONS

(1961)

Credit unions may borrow from, 674

BUILDING INSPECTORS

(1961)

Richland County, 716

BUILDING PERMITS

(1961)

Abbeville County, 9

Hanahan Public Service District, Berkeley County, 672

McCormick County, 29

Richland County, 716

Spartanburg County, 700

BUILDINGS

(1961)

Inspectors, in incorporated towns, to inquire into origin of fires, 498
Specifications on brick or stone buildings used for business purposes, repealed, 510

BUSHY PARK AUTHORITY

(1961)

Negotiations with, sale of bonds to State Budget and Control Board authorized, 542

BUSINESS DEVELOPMENT CORPORATIONS

(1961)

May obtain short term loans, 499

BUSINESS TAX

Taxation (this index)

BUSINESSES

(1961)

Business trusts, 537

Construction, use tax on equipment, 406

Hauling for hire with teams and wagons, Fairfield County, repealed, 462

Merchants, country, exceptions from certain laws, repealed, 423

Stone or brick buildings used for, specifications, repealed, 510

CALHOUN COUNTY

(1961)

Appropriations, 893, 894

Auditor, act relating to term, repealed, 19

Taxes, 894

CALLISON, DR. H. GRADY

(1961)

Continued employment of regardless of age, 342

CAMPS

(1961)

Appropriation for

Bob Cooper, 365

Harry Daniels, 365

Long, 365

Rocky Bottom, 384

Harry Daniels may be transferred to State, 751

CANDIDATES

See Elections (this index)

CANNING PLANTS

Fish and Game (this index)

CARLISLE, TOWN OF

(1961)

Union County Board of Education, convey property to, 1558

CARNIVALS, CIRCUSES AND TRAVELING SHOWS

(1961)

Aiken County, bond required of, 30
Licenses

Fairfield County, 1072

Union County, not required, conditions, 1576

CAROLINA ORPHAN HOME

(1961)

Contribution for, 386

CARTS

(1961)

Burning of certain, provisions repealed, 40

CATAWBA INDIAN SCHOOL

(1961)

Appropriations for, 316

CATAWBA RIVER

(1961)

Ferries across, provisions repealed, 420

CATAWBA-WATEREE LAKES

(1961)

Use of baskets in, 623

CAUSEWAYS

Highways and Streets (this index)

CENSUS

(1961)

1960 United States, adopted, 403

CENTRAL PACOLET, TOWN OF

(1961)

Election of mayor and councilmen, 17

CENTRAL, TOWN OF

(1961)

Furnishing of water and sewage service, 447

CHAIN GANGS

Prisons and Prisoners (this index)

CHAPLAINS

(1961)

General Assembly, election day of, 254

CHARITIES

(1961)

Deduction allowable for contributions to, increased, 405

CHARLESTON, CITY OF

(1961)

Annexed areas, disposition of properties and liabilities, 913

Business or professional licenses, population classification raised to include, 691

Courts, city and police, who may hold, in absence of recorder, 236

Hampstead Street and mall

Close portions of, 928

Convey to School District 20, 928

Magistrates outside of city limits, St. Andrew's Parish, 274

Medical College may convey certain lands in to United States, 734

Municipal Yacht Basin revenue bonds

Actions concerning, validated, 906

Issuance of validated, 906

Statutes applicable to cities of over 70,000 to apply to, 427

Tax exemption, property of the Crippled Children's Society, 708

Voting precincts, wards 13 through 16 defined, 237

CHARLESTON COUNTY

(1961)

Ashley Fire Protection District

Area, 931

Transfer assets to James Island

Public Service District, 931

Ashley Garbage Disposal District

Area of, 916

Disposition of assets, 932

Repealed, 933

Charleston, City of

Police and city court, who may hold in absence of recorder, 236

Voting precincts, wards 13 through 16 defined, 237

CHARLESTON COUNTY—

Cont'd
Children's court, typographical error corrected, 45
Civil and criminal court, appointment of temporary clerk, 233
Code section relating to surety bonds and recognizances, repealed, 94
Construction of bridge across Ashley River, repealed, 605
Council, rules and regulations, 1618
Disposition of properties and liabilities of areas annexed to City of Charleston, 913
Employment of Dr. Leon Banov authorized regardless of age, 911
Folly Island may borrow money, 912
James Island Public Service District created, 917
Judge of probate, fees for general guardian and lunacy commitments, 235
Jurisdiction of magistrate in St. Andrew's Parish, 274
May issue bonds for
 Insect control program, 907
 Property reassessment, 907
Medical College
 Authority to construct animal laboratory on James Island, repealed, 735
 May convey certain lands to United States, 734
Microphotographing of certain records, 656
Roads and streets, closing of
 Brick House Road, Edisto Island, 929
 Hampstead Street, City of Charleston, 928
 Convey to School District 20, 928
St. Andrew's Parish
 Parks and Playgrounds Commission, territorial jurisdiction redefined, 239
 Voting precincts redefined, 276
St. Andrew's Public Service District Area, 917
 Members, 929
Schools
 District 10 may issue bonds, 925
 District 20 may issue bonds, 901
Statutes applicable to counties with city of over 70,000 to apply to, 427
Taxes
 Board of assessors, appeals from, functions complementary to South Carolina Tax Commission, 35

CHARLESTON COUNTY—

Cont'd
Taxes—Cont'd
 Exemptions, property of the Crippled Children's Society, 708

CHARTERS

See also **Secretary of State** (this Index)

(1961)

Restoration of
 Garner Construction Co., 730
 Grand Strand Broadcasting Corp., 730
 Greentop Farms, Inc., 729
 Orange Investment Co., Inc., 731
 Reedul Investment, Inc., 732
 Swan Corporation, 729
 T and C Motor Court, 728

CHECKS

(1961)

Laurens County, warrants for bad checks not to be withdrawn until fee paid magistrate, 547

CHEMICALS

(1961)

Analyses of dead bodies by Clemson College, requirement repealed, 435
Economic poisons, 279
Insecticides and fungicides, obsolete laws repealed, 435

CHERAW, CITY OF

(1961)

Councilmen, terms of, 584

CHEROKEE COUNTY

(1961)

Appropriations, 935
 For hospital, 935
Blacksburg, Town of, duties of commissioners of public works devolved on mayor and aldermen, 627
Borrow money for high schools at Blacksburg and Gaffney, 933
Compensation of jurors and court employees, 943
Fees for recording chattel mortgages, 670
Library board, contracts by, 655
Magistrates, jurisdiction of for issuance of warrants and other civil processes, 947
Taxation, 935

CHERRY GROVE BEACH, TOWN OF

(1961)

Cleaning up of vacant lots, 414

CHESTER, CITY OF

(1961)

Taxes, certain corporations exempt from, 712

CHESTER COUNTY

(1961)

Adjutant General to reconvey property to J. P. Stevens & Co., 752

Appropriations, 950

Fees, collection of by county officers, receipts and payment to treasurer, 704

Hospital

Accounts receivable ledger, 949

Bad debts, records of, 949

Borrow money, 948

Schools, pledges by district for repayment of short term notes, 711

Taxes, 950

Exemptions for certain corporations or societies, 712

CHESTERFIELD COUNTY

(1961)

Appropriations, 973, 974

Borrow

Memorial Hospital, 962

School District 2, 961

Cheraw, City of, terms of councilmen, 584

Fires, unlawful to start certain without permit, 499

Hill's Creek Watershed Conservation District may be formed, 963

Operate sewerage system of Windsor Park Subdivision, 972

Patrick, Town of, terms of mayor and councilmen, 570

Taxes, 974

CHILDREN

Minors (this index)

CHILDREN'S BUREAU

(1961)

Appropriations for, 331

CHIROPRACTIC BOARD OF EXAMINERS

(1961)

Rules and regulations, relating to practice of chiropractic, 1618

CHOLERA

(1961)

Amendment to Code section, changing word "virus" to "vaccine," 437

CIRCUIT COURTS

Courts (this index)

CIRCUSES

Carnivals, Circuses and Traveling Shows (this index)

CITADEL, THE

(1961)

Appropriations, 310

Debt service on stadium bonds, 310

Money derived from athletic contests not to be considered State funds, 392

Requisition appropriations for payrolls and other expenses, 392

Residence on grounds, president may occupy, 393

Revenues or income to be remitted to State Treasurer, 391

Scholarships, not to be granted, 396

Tuition

Fees to be remitted to State Treasurer, 392

For 1961-1962 to be not less than 1960-1961, 391

Free, repealed, 417

Vacancies on Board of Visitors, 446

CIVIL AIR PATROL

(1961)

Contribution for, 386

CIVIL DEFENSE

(1961)

Appropriations for, 383

Fairfield County, appropriation for, 1058

Public shelters, liability of persons furnishing, 255

CIVIL SERVICE COMMISSION

(1961)

Of Easley, City of, complaints to, 109

CLAMS

Fish and Game (this index)

CLARENDON COUNTY

(1961)

Appropriations, 985

Clarendon Memorial Hospital may borrow money, 987

Taxes, 985

CLEMSON AGRICULTURAL COLLEGE

(1961)

Acceptance of Hatch Act grants, 662

Appropriations for collegiate activities, 310

Livestock and poultry laboratory expansion, 540

Free tuition, repealed, 417

CLEMSON AGRICULTURAL COLLEGE—Cont'd

- Housing facilities, borrow money for, 741
- Livestock and Poultry Division, to accept assistance from Animal Disease Eradication Division, U. S. D. A., 620
- Livestock and Poultry Health Department, tuberculin tests, name of agency to cooperate with changed to "Animal Disease Eradication Division U. S. D. A.," 626
- Livestock Sanitary Department, name changed to "Livestock and Poultry Health Department," name of Federal agency to cooperate with changed from "United States Bureau of Animal Industry" to "Animal Disease Eradication Division, United States Department of Agriculture," 441
- Money derived from athletic contests not to be considered State funds, 392
- Prohibition against compensation of trustees for meetings, repealed, 435
- Public service activities, administration of and appropriations for, including agricultural research, fertilizer inspection and analysis, extension division, poultry research, livestock sanitary work, Camp Bob Cooper, Camp Long and Camp Harry Daniels, 365
- Requisition appropriations for payrolls and other expenses, 392
- Requirement of examination and chemical analysis of dead bodies, repealed, 435
- Residence on grounds, president may occupy, 393
- Revenues or income to be remitted to the State Treasurer, 391
- Rules and Regulations
 - Fertilizer control, 1619
 - Livestock Sanitary Department General, 1619
 - Importation of certain animals, health certificates, 1621
 - Seed certification, 1618
- Scholarships, not to be granted, 396
- Tuition
 - Fees to be remitted to State Treasurer, 392
 - For 1961-1962 to be not less than 1960-1961, 391

CLERKS OF COURT

(1961)

- Appeals by landowners of drainage or levee districts from decisions of, 43
- Civil and Criminal Court of Charleston, appointment of temporary clerk, 233
- Destroy old records
 - Allendale County, 692
 - Anderson County, 605
 - Barnwell County, 838
 - Dorchester County, 16
 - Jasper County, 222
 - Sumter County, 698
- Discharge of certain prosecutors or witnesses on their own recognizances, 39
- Fees
 - Allendale County, 793
 - Bamberg County, 832
 - Barnwell County, 837
 - Cherokee County, 670
 - Edgefield County, 1056
 - Greenwood County, 693
 - Saluda County, 1501
- Of courts of common pleas to be ex officio clerks of courts of general sessions and certain other courts, 605
- Pickens County
 - Custodian of court room, 706
 - To summon jurors to attend court of general sessions on second day of week, 276
- Reading of minutes to judge by, requirement repealed, 42
- To be furnished
 - Filing cases, 42
 - Seal and record books, 46
- To issue building permits
 - Abbeville County, 9
 - McCormick County, 29
- Transfer vital statistics records to county health department
 - Horry County, 1250
 - York County, 89

CODE COMMISSIONER

(1961)

- Appropriations for, 292

CODE OF 1952 ADDED

(1961)

- Section 10-1312, York County, legal advertising costs, 263
- Section 14-94.1, Union County, boundaries of certain townships in, 13
- Section 14-2207, Greenwood County, use of equipment and labor of chain gang and employees, may be

CODE OF 1952 ADDED—Cont'd
used to aid eleemosynary institutions, 696

Section 14-2208, Greenwood County, splitting of fines by circuit court between county and town where arrest is made in the county, 593

Section 14-2209, Greenwood County, fees of clerk of court and probate judge, 693

Section 14-2210, Greenwood County, meetings of boards and commissions of to be open to public, subject to certain exceptions, 697

Section 14-2223, Greenwood County, clerk of Finance Board to make reports of disbursements, 594

Section 14-2224, Greenwood County, clerk of Finance Board to be county purchasing agent, 694

Section 14-2225, Greenwood County, Finance Board to operate certain water line in, 594

Section 14-3304, Spartanburg County, county attorney to advise board of control, 678

Sections 14-3314 through 14-3320, Spartanburg County, powers and duties of supervisor of, 680

Sections 14-3344 through 14-3344.11, Spartanburg County, uniform purchasing plan for, 682

Section 14-3363, Spartanburg County, special auditor of to report certain violations, 688

Section 15-1806.1, Lee County, when probate judge of may act as master, 115

Section 17-458, circuit courts may order change of venue in criminal cases, 562

Section 43-514, Aiken County, terms of magistrates in filling of vacancies, 565

Section 47-252.5, New Ellenton, Town of, in Aiken County may levy annual tax, 487

Section 47-376.2, Cheraw, City of, terms of councilmen for, 584

Title 51, Chapter 4, new article added, Hartsville Community Center Building Commission created, 443

Sections 52-201 through 52-203, trusts, business, recordation of instruments creating, trusts may sue or be sued, liability of shareholders or trustees, may deal in real estate, rule against perpetuities not to apply, 538

Section 65-223.1, trusts, investment, taxation of real estate of, 624

CODE OF 1952 ADDED—Cont'd
Section 65-286, taxation, reporting income for purposes of by instalments, 226

Section 65-721, merchants or manufacturers, nonresident, sale of business license stamps to for individual use, 101

Section 68-5, Unemployment Compensation law, determination of average weekly wage, 454

CODE OF 1952 AMENDED

Section 1-316, Acts, distribution of advance sheets of, probate judge to receive, 173

Section 3-25, Clemson Agricultural College, acceptance of grants pursuant to Hatch Act by, 662

Section 6-341, inoculation against cholera for swine, word "virus" changed to "vaccine," 437

Section 6-411, State to pay portion of indemnity for cattle with Bang's disease, name of "Bureau of Animal Industry" changed to "Animal Disease Eradication Division," 436

Section 6-442, veterinarians, accredited, name of approving official changed from "Chief, Bureau of Animal Industry" to "Director of Animal Disease Eradication Division," 438

Section 6-445, Veterinarian, State, to set up a program for vaccination of calves, name of agency to make recommendations changed from "United States Bureau of Animal Industry" to "Animal Disease Eradication Division, United States Department of Agriculture," 439

Section 6-455, Clemson Agricultural College, "Livestock Sanitary Department" name changed to "Livestock and Poultry Health Department"; name of Federal agency to cooperate with changed from "United States Bureau of Animal Industry" to "Animal Disease Eradication Division, United States Department of Agriculture," 441

Section 6-472, designation of agency which Clemson Agricultural College is to cooperate with in tuberculin tests changed to "Animal Disease Eradication Division, U. S. D. A.," 625

Section 6-477, Clemson Agricultural College to receive aid from "Ani-

CODE OF 1952 AMENDED—

- Cont'd
mal Disease Eradication Division,
U. S. D. A.," 620
Section 6-495, "Bureau of Animal
Industry," name of changed to
"Animal Disease Eradication Di-
vision," 434
Section 10-451, parental rights, serv-
ice of process on nonresidents or
persons not in state in proceedings
for the determination of, 430
Section 10-1405, Newberry County,
references to probate judge in, not
required, 161
Section 10-1405, Dorchester County,
references to master instead of
probate judge, 19
Section 10-1731, judgment debtor,
judge may order certain property
of to the satisfaction of the judg-
ment, 450
Section 10-1761, judicial sales, time
for holding of, 616
Section 12-706, insurance companies
whose sole business in State is
lending money secured by real
estate mortgages included in ex-
emption from laws relating to
foreign corporations, 535
Section 14-380, appeals to the Su-
preme Court of decisions of
boards of adjustment, 8
Section 14-399.4, appeals to Supreme
Court of decisions of planning
commissions of certain counties, 7
Section 14-1761, Dillon County
Board of Commissioners, mem-
bership of increased, 583
Section 14-1805, Dorchester County,
road supervisor provided for, 156
Section 14-1806, Dorchester County,
road supervisor, bond for, 156
Section 14-2061, Greenville County
Board of Commissioners, mem-
bers, terms, vacancies, 598
Section 14-2062, Greenville County,
compensation of members of
board of commissioners, 598
Section 14-2067, Greenville County
Board of Commissioners to act as
an advisory board to various
county and school officials, 599
Section 14-2070, Greenville County,
action of board of commissioners
relative to the board of commis-
sioners to be by majority vote, 599
Section 14-2170, Greenville County,
bookkeeper redesignated comp-
troller, 707
Section 14-2241, Greenwood County,
purchasing by bids, exceptions,
694

CODE OF 1952 AMENDED—

- Cont'd
Section 14-2254, Hampton County,
salaries of clerk and legal advisor
for board of commissioners of,
668
Section 14-2255, Hampton County,
employment by of physician for
prisoners, 669
Section 14-2259, Hampton County,
penalties for violations of certain
laws by officials of, 669
Sections 14-2504, 14-2505, 14-2506,
Kershaw County, recreation for
colored people in, 134
Sections 14-3301 through 14-3308,
Spartanburg County Board of
Control, powers and duties of, 676
Section 14-3343, Spartanburg Coun-
ty, quarterly statements by treas-
urer of, 682
Section 14-3351, Spartanburg Coun-
ty, salaries of officers of to be in
lieu of fees, 688
Section 14-3353, Spartanburg Coun-
ty, fees to be collected by sheriff
and magistrates in civil cases, 688
Section 15-142, appeals, priority of
to Supreme Court, 12
Section 15-211, circuit judges, oath
of office, President of Senate and
Speaker of House of Representa-
tives added to list of officials who
may administer, 275
Section 15-232, appeals from mag-
istrates' and municipal courts,
notice of, 7
Section 15-263, second judicial cir-
cuit, terms of court in, 409
Section 15-269, item (2), Richland
County, terms of court in jury
trials permitted during entire
March term of court of common
pleas, 501
Section 15-277, Greenwood County,
terms of court for, 578
Section 15-277, paragraph (3), Lau-
rens County, terms of court of
common pleas for, 71
Section 15-461, fiduciaries, certain,
discharge of, 252
Section 15-501, Dorchester County,
references to master in instead of
probate judge, 19
Section 15-645, Greenville County,
county court, special judge, pow-
ers and duties of, 147
Section 15-714, Orangeburg County
Court, civil jurisdiction of en-
larged, 414
Section 15-1012, children, incor-
rigible and destitute, investiga-

CODE OF 1952 AMENDED—

Cont'd
tions by certain municipal courts of, testimony, 5
Section 15-1015, appeals from municipal courts in cases involving children, 5
Section 15-1184, children's courts in certain counties, typographical error corrected, 46
Section 15-1508, Civil and Criminal Court of Charleston, appointment of temporary clerk of, 233
Section 15-1556, Charleston City Court and Police Court, who may preside in absence of recorder, 236
Section 15-1601, Florence, Civil Court of, jurisdiction to include whole county if election favorable, 234
Section 15-1703, clerks of courts of common pleas to be ex officio clerks of courts of general sessions and certain other courts, 605
Section 15-1710, clerk of court's office, certain requirements for composition of seal for deleted, 47
Section 15-1763, clerks of court, file cases for offices, 42
Section 15-1810, master, typographical error corrected relating to vacancies in office of, 41
Section 17-101, Spartanburg County, coroner's jury in to consist of only six men, 698
Section 17-306, prosecutors or witnesses, certain, may be discharged on their own recognizances, 39
Section 17-452, accessories before the fact, where to be tried, 40
Section 18-106, item (10), sanitary and drainage commissions, requiring reports to the General Assembly by, repealed, 47
Section 18-224, landowners in drainage or levee districts, appeals by, 43
Section 18-569, drainage district act, sale, deed, title to delinquent land under, 44
Section 19-111, renunciation of dower, procedure simplified and seal of officer before whom made required, 415
Section 19-474, estates, claims against not filed within certain time to be barred, 172
Section 19-496, processes issued by probate judges to be served by sheriff, 44
Section 20-1, persons who may contract matrimony, "mentally incompetent persons" substituted

CODE OF 1952 AMENDED—

Cont'd
for words "idiots" and "lunatics," 48
Section 21-225, appeals from decisions removing school district trustees from office, 416
Section 21-289, Educational Finance Commission, advances to public school operating units by, 481
Section 21-351, employment of teachers related to members of boards of trustees, 183
Section 21-996, school bonds, State, limit on aggregate indebtedness and maturity date of, 480
Section 21-999.6, school bonds, State, pledge for payment of, 481
Section 21-1807, Chester County school district to make pledges for the repayment of short term notes in anticipation of taxes and State Aid Funds, 711
Section 21-2351, Dillon County Board of Education, no member of to be recommended as superintendent of education, 660
Section 21-2617, Fairfield County, additional school tax levy, referendum thereon, 131
Section 22-304, Citadel, The, vacancies on Board of Visitors of, 446
Section 23-5, dueling, oath as to eliminated as oath required of Governor, 49
Section 23-62, persons ineligible to vote, words "mentally incompetent" substituted for words "idiots or insane," 50
Section 23-163, Charleston County, voting precincts, City of Charleston, 237
Section 23-163, Charleston County, voting precincts, St. Andrews Parish, 276
Section 23-173, Fairfield County, Feasterville and Shelton precincts consolidated, Horeb reinstated, 18
Section 23-173, Fairfield County, Shelton precinct, eliminated, 11
Section 23-176, Greenville County, voting precincts, voting place added, Ward 4, Box 5, Star Lane Bowling Center, 659
Section 23-177, Greenwood County voting precincts, Greenwood No. 4, defined, 36
Section 23-197, Union County, voting precincts in, Sedalia, Wilburn's Store, Gibbs and McBride's Store abolished, 87
Section 23-306, dueling, oath as to eliminated as oath required of

CODE OF 1952 AMENDED—

- Cont'd
commissioners and managers of elections, 49
- Section 23-307, dueling, oath as to eliminated as oath required of clerk appointed by commissioners and managers of elections, 50
- Section 23-313, elections, nominees by petition, time limit lengthened, 548
- Section 23-557 through 23-559, presidential and vice-presidential electors, provisions relating to altered to comply with federal statutes, 246
- Section 27-61, fees for recording mortgages of Federal agencies. Edgefield County excluded therefrom, 1056
- Section 27-61, fees for recording mortgages of Federal agencies, Saluda County excluded therefrom, 1501
- Section 27-77, Cherokee County, fees for recording instruments in, chattel mortgages included, 670
- Section 27-96, Saluda County, clerk of court fees, 1501
- Section 27-501, Secretary of State, fees charged by, 621
- Section 28-5, Game Zone 8 created, seasons and bag limits, 224
- Section 28-519, Brookgreen Gardens, Georgetown County, area as fish and game sanctuary more clearly defined; sign posting; fishing and hunting in prohibited, 132
- Section 28-795.1, Item (4), seed oysters, non existent code reference deleted, 148
- Section 28-845, oysters, planting of shell or seed by lessees, quantity required reduced, planting not required of canning and raw shucking houses, 500
- Section 28-861, shrimp and prawn trawling area further defined, 149
- Section 28-861.1, shrimp or prawn, open season for trawling for in certain areas, 451
- Section 28-865, shrimp and crab boats, letters and numerals thereon, 138
- Section 28-866, shrimp and prawn, penalties for violating laws relating to trawling for, reference to certain code section deleted, 505
- Section 28-881, subsection (3), shad, lawful to net during certain seasons without license, 568
- Section 28-885, shad, fishing within three mile limit out to sea from

CODE OF 1952 AMENDED—

- Cont'd
Winyah Bay jetties, prohibition to apply only to, reference to sturgeon deleted, 661
- Section 28-886, shad, use of nets for catching, special provisions for Williamsburg County, 138
- Section 28-966, commercial fisheries' laws, penalties for violations of certain, 622
- Section 28-1015, Catawba and Wateree Rivers, size limit of fish caught in, 152
- Section 28-1214, fish, fresh water game, use of lights, 152
- Section 28-1214, seines, use of in Lakes Marion and Moultrie and Diversion and Tail Canals, 151
- Section 28-3371.1, Berkeley County, open season on male wild turkeys in, 277
- Section 29-111, Richland County, provisions of Section 29-112 added to, fire fighting units in, 4
- Section 30-53, General Assembly, postage allowance for members of, 272
- Section 30-54, General Assembly, stationery for each house of, 272
- Section 30-57, Senate, duties of sergeant at arms of, 270
- Section 30-59, General Assembly, chaplains, election of, 254
- Section 30-60, Senate, appointment of certain officers and employees of, 271
- Section 30-61, House of Representatives, appointment of officers and employees of, 271
- Section 30-64, General Assembly, compensation of officers and employees of, reference to members deleted, 254
- Section 32-147, Charleston County Board of Health may recommend commitment of persons found to be mentally ill, 11
- Section 32-1201, water supplies, analysis of public and certain other, 21
- Section 33-107, Highway Commission may establish belt lines or spurs, annual fund allocation cumulative, 470
- Section 33-123, Greenville County, width of rights of way may be reduced, 502
- Section 37-133, insurance companies or agents, fire, method of determining municipal license fees and taxes due from, 273

CODE OF 1952 AMENDED—

Cont'd

- Section 37-537, insurance contracts, provisions of group accident and health insurance laws not applicable to other types, references corrected, 417
- Section 38-52, Dorchester County, when jury list to be prepared in, 16
- Section 38-52, Horry County, when jury list to be prepared in, 68
- Section 38-61, Marlboro County, number of jurors to be drawn, 584
- Section 38-61, Pickens County, jurors for court of general sessions, when to attend court, 276
- Section 43-221, magistrates, endorsement of warrants by, 587
- Section 43-644, St. Andrew's Parish, magistrate for, jurisdiction and residence, 274
- Section 44-861, Coast Guard Reserve and Air Force Reserve, members of who are State employees to be granted leaves for military training, 104
- Section 47-111, Blenheim, Town of, mayor and councilmen, terms of, 692
- Section 47-111, Ridgeway, Town of, mayor and wardens, 90
- Section 47-111, Goose Creek, Town of in Berkeley County, terms of office of town officers of increased to two years, 671
- Section 47-407, Charleston and Columbia, business or professional licenses in, 691
- Section 47-835, Myrtle Beach, City of, may issue bonds for certain purposes without petition, 70
- Section 47-1176, Towns, incorporated, inspectors of buildings to inquire into origin of fires, 498
- Section 47-1331, Anderson County, naming of streets and numbering of lots in, 97
- Section 47-1591, Greenville, City of, mayor and council to fix terms of mayor and council to be elected, 96
- Section 49-4, notaries public, oath of office of, provision relating to dueling deleted, 510
- Section 53-80, sheriffs, deputy, furnishing of equipment to, provisions relating to furnishing of horses deleted, 497
- Section 58-1265, railroads used by certain machines, penalty for obstructing, diesel engines and other type engines added, 496

CODE OF 1952 AMENDED—

Cont'd

- Section 59-618, bond issues, provisions relating to elections on for lighting, waterworks, fire protection or sewerage systems clarified, 511
- Section 59-622, United States, loans from for public utilities, obsolete provision deleted, 549
- Section 61-256, justices, judges and widows, retirement pay of, 400
- Section 63-271, Fairfield County, appointments and terms of members of the agricultural board of, 25
- Section 63-272, Fairfield County, meetings, records, audits of agricultural board of, 25
- Section 63-273, Fairfield County, contracts with farmers by the agricultural board of, 25
- Section 64-1, golf tournaments, certain, may be held on Sunday, 98
- Section 64-151, legal holidays, special provisions for Sumter County, 1557
- Section 65-64, tax commission to publish statistics, 172
- Section 65-258, "adjusted gross income" defined, 228
- Section 65-258, adjusted gross income, exclusions from, certain employee's trusts, 461
- Section 65-259, net income, limitations on deductions allowed in computing on contributions to charities increased, 405
- Section 65-322, taxes, additional, assessment of, time limitation thereon, 465
- Section 65-601, corporations to make reports to Tax Commission, 229
- Section 65-602, corporations, officers of, authorized to sign reports to Tax Commission, 229
- Section 65-603, corporation reports, forms for, 230
- Section 65-604, corporations to pay annual license fee, 230
- Section 65-608, corporations, initial reports of, 231
- Section 65-609, corporations, receipt for payment of fees to constitute license, 232
- Section 65-765, tax, soft drink, changes relative to exemptions, 467
- Section 65-801, athletic contests of institutions of higher learning no longer exempt from admissions tax, 466
- Section 65-1421, use tax, imposition of, under certain circumstances

CODE OF 1952 AMENDED—

- Cont'd
construction equipment to be taxed without proration or depreciation allowances, 406
Section 65-1522, Chester County, property of certain corporations or societies in exempt from county, municipal and school district taxes, 712
Section 65-1952, Hampton County, bond of treasurer and any assistant, 449
Section 65-2134, Abbeville County, deposit of tax money, 37
Section 65-2173, Saluda County, term of tax collector of, 261
Section 65-2682, Tax Commission, refund of taxes erroneously collected by, 465
Section 65-3101, Dorchester County, forfeited land commission for, membership increased, 116
Section 65-3561, Laurens County, redefining of tax districts, 490
Section 67-56, trustees removing from State, issuance of citations against, reference to guardians and committees eliminated, 425
Section 68-11, Unemployment Compensation Law, "employer" as used in redefined, 166
Section 68-16, Unemployment Compensation Law, "State" as used in redefined, 166
Section 68-22, Unemployment Compensation Law, "employment" as used in redefined, 166
Section 68-102, Unemployment Compensation Law, definition of "insured worker," 454
Section 68-104, Unemployment Compensation Law, weekly benefit amount, 454
Section 68-114, Unemployment Compensation Law, disqualification from benefits, 455
Section 68-175, Unemployment Compensation Law, tax rate increased for certain employees, 162
Section 68-176, Unemployment compensation, state reserve ratio, employer's rate, 457
Section 68-252, Unemployment Compensation Law, election by certain employing units as to coverage under, 166
Section 68-253, Unemployment Compensation Law, termination of coverage, 458
Section 72-107, Workmen's Compensation Law, employers and

CODE OF 1952 AMENDED—

- Cont'd
employees of peach packing sheds exempt from provisions of, 412

CODE OF 1952 REPEALED (1961)

- Section 3-161 through 3-170, insecticides and fungicides, regulation of the sale and use of 435
Section 10-24, Charleston County, surety bonds and recognizances in, 94
Section 13-3, cotton, maximum rates to be charged for the storage of, 22
Sections 13-311 through 13-315, cotton, long, licenses to traffic in, 9
Section 14-2056, Greenville County, requirement that supervisor of shall publish certain quarterly statements, 707
Sections 14-2111 through 14-2117, Greenville County, purchasing by, 707
Section 14-2121, Greenville County, requirement that supervisor of shall show on warrants the fund from which money drawn, 707
Section 14-2175, Greenville County, treasurer of to file certain quarterly statements with the supervisor, 707
Sections 14-2901 through 14-2903, McCormick County, county board of commissioners for, 3
Section 14-3309, Spartanburg County, voiding of certain purchases by, 689
Section 14-3310, Spartanburg County, members of board of control not to act in matters in which they have personal interest, 689
Sections 14-3321 through 14-3327, Spartanburg County, county supervisor, 689
Section 14-3343, Spartanburg County, treasurer, filing of quarterly reports with supervisor, 1543
Section 14-3613, York County, publication of quarterly report by supervisor of, 183
Section 15-271, fifth circuit, terms of court of general sessions in, court of common pleas may be open when not conflicting with business of general sessions, 6
Section 15-1728, dedimus potestatem, writs of abolished, 38
Section 15-1762, clerk of court, reading of minutes or journal entries to judge by, 42

CODE OF 1952 REPEALED—

Cont'd

- Section 16-315, burning of a wain or cart laden with coal or other goods and the burning of wood, 40
- Section 17-106, coroners' juries to stand together until proclamation made and evidence received at inquests, 45
- Section 17-116 and 17-117, dead bodies, examination and chemical analyses thereof by Clemson Agricultural College, 435
- Section 17-307, witness, discharge of on own recognizance in certain cases, 39
- Section 17-308, clerk's costs in certain cases involving recognizances, 39
- Section 19-505, sheriff's costs, how collected, 45
- Sections 21-2171 through 21-2189, Colleton County, schools in, 122
- Sections 22-51 through 22-55, State institutions of higher learning, free tuition in, 417
- Section 22-217, Clemson Agricultural College, compensation for board of trustees of for meetings, 435
- Sections 23-560 through 23-562, president and vice-president, subject of lists of candidates voted for and disposition of the lists, 246
- Section 26-52, jurisdiction, foreign, proof of laws of, 4
- Section 26-141, farmers' and planters' books, receiving of as evidence, 22
- Section 28-580, trout, closed season, Game Zone 1, 136
- Section 28-581, trout, unlawful to fish for in closed season, 136
- Section 28-584, Game Zone 1, size of fish caught in, 152
- Section 28-591, trout, size limitation, 136
- Section 28-861.2-11, Beaufort County, Sunday, commercial trawling for shrimp on, 147
- Section 28-1226, Game Zones 2 and 3, fishing in, use of lights while, 152
- Section 29-112, Richland County, fire fighting in, 4
- Section 30-58, clerks and sergeant at arms of both houses, per diem and mileage for extra sessions, 270
- Section 30-62, sergeant at arms, certain employees under control of, 272

CODE OF 1952 REPEALED—

Cont'd

- Section 30-63, General Assembly, compensation of journal and bill clerks of, 272
- Section 30-70, General Assembly, clerks of both houses of to furnish Comptroller General with certain certificates, 253
- Section 30-306, stock, signing by freeholders of a petition before amending laws regulating fencing of, 21
- Sections 33-191 and 33-192, State Hospital, construction of a thoroughfare through properties of, 621
- Section 33-203, Charleston County, construction of a bridge across the Ashley River, 606
- Section 33-204, Richland and Fairfield Counties, construction of bridge across the Broad River between, 606
- Section 33-205, Lexington and Richland Counties, construction of bridge across the Congaree River between, 607
- Sections 33-511 through 33-515, highways, State, construction and maintenance of gates upon, 418
- Sections 33-616 and 33-617, bridges, prohibiting the carrying of fire on and construction of certain buildings near, 419
- Sections 33-721 through 33-725, Beaufort County, ferry service across MacKay's Creek and Skull Creek in, 419
- Section 33-733, ferries, maintenance of, across Black River and Catawba River, 420
- Sections 33-760 through 33-778.2, toll roads, bridges and ferries, privately owned, 420
- Sections 33-779 through 33-782, fording or crossing places, prohibition against obstruction of; unnecessary delays at public ferries, toll bridges or causeways; penalties for violations, disposition of proceeds of the penalties, 92
- Section 33-783, bridges, destroyed, owners of certain may establish temporary ferries, 420
- Section 33-1261, Spartanburg County, election on township road tax in, 701
- Section 33-1262, Spartanburg County, levy and collection of township road tax, 701
- Section 33-1622, Fairfield County, regulation of business of hauling

CODE OF 1952 REPEALED—

Cont'd
for hire with teams and wagons in, 462
Sections 33-1871 through 33-1874, Spartanburg County, Supervisor's authority over highways, township roads and roads within municipalities, cutting of timber to maintain roads, 701
Section 37-109, insurance companies, foreign, conduct of fire insurance business by, 421
Sections 39-61 through 39-64, United States, purchase of land by for erection of arsenals and magazines, 421
Sections 40-201 through 40-211, minor indentured apprentices, 100
Sections 42-411 through 42-422, Greenville County library district, 431
Sections 44-401 through 44-411, State Council of Defense, 422
Section 44-475, United States, taking of certain oaths by armed forces, commissioned officers of, 102
Section 44-653, laws, penalties for violations of no longer in effect, 100
Section 47-405, cities of more than twenty thousand population, establishment of public baths in, 511
Sections 47-1225 through 47-1228, buildings, brick or stone, specifications for walls, roofs, foundations, 510
Section 47-1231, buildings, brick or stone, specifications for joists and timbers, 510
Sections 53-561 through 53-580.2, Kershaw County Law Enforcement Board and the Kershaw County Rural Police, 31
Sections 53-581 through 53-596, Lee County, establishment of a rural police system in, 23
Section 54-351, mariners, harboring for over one hour, 497
Section 54-357, masters of vessels lodging seamen in jail for desertion to post bond, 509
Section 54-360, seamen procurers, burden of proof in cases involving boarding of ship without permission by, 509
Section 55-462, Spartanburg County, number of chain gangs in, 701
Sections 55-741 through 55-747, Spartanburg County Detention Home for children, 697
Section 56-114, law examiner, board

CODE OF 1952 REPEALED—

Cont'd
of, qualifications of applicants for examinations by, 508
Sections 56-119 through 56-123, law, examination of applicants for admission to practice who are serving in military forces, 508
Sections 56-153 through 56-160, attorneys, certain, investigation and proceedings to be followed when charged with misconduct, 507
Section 56-201, auctioneers, bond of to city or town where they reside, 422
Sections 56-203 through 56-205, auctions, liability of purchasers at, remedy against auctioneers, responsibility by auctioneers for loss of goods, 422
Section 56-503, attorneys, prosecuting, duty of for violations concerning dentists, dental hygienists and dental laboratory technicians, 423
Section 56-1317, merchants, country, exceptions from certain provisions of law, 423
Section 58-731, railroad business not incorporated by this State, publication of lists of persons in, 424
Section 58-741, railroad passengers, charging or collecting extra compensation from for crossing bridges, 424
Section 58-745, railroad corporations to pay shop employees semi-monthly, 424
Section 58-1024, railroads operation of on Sundays, suspension of laws relating to, 464
Section 58-1197, railroads, prohibition against lighting passenger cars on with materials which would ignite at certain temperatures, requirement that stoves be secured, 464
Section 59-535, Eau Claire, sale of water by Town of, 508
Sections 62-1 through 62-317, securities law, 185
Sections 65-451 through 65-529, tax, South Carolina inheritance, 631
Sections 65-551 through 65-553, Tax, South Carolina estate, 631
Sections 65-1755, Horry County, time for receiving tax returns in, 10
Section 65-1759, Horry County, list of taxpayers, 10
Sections 65-3551 through 65-3553, Lancaster County, office of executive secretary of tax equalization board of, 165

CODE OF 1952 REPEALED—

Cont'd

Section 66-6, shingles and staves, specifications for, 512
Sections 66-351 through 66-353, pork and beef, barrels of, 425
Sections 66-361 through 66-364, rice, fraudulent mixtures of, 425
Section 70-8, bridges, passage of vessels under, 426
Section 71-309, Spartanburg County Home, operation and use of, 701

CODIFICATION OF LAWS

(1961)

Appropriations for, 292

COLLEGES AND UNIVERSITIES

See particular institution (this index)

COLLETON COUNTY

(1961)

Appropriations, 990
Borrow money, 988, 989
Development Board
 May lease property at Bennett's Point, 989
 Powers and duties, 103, 710
Medical College, sell certain lands in, 733
School District of, established, 122
Taxes, 990

COLUMBIA, CITY OF

(1961)

Business or professional licenses, 691
Streets to be transferred to University of South Carolina, 750
To contract with Richland and Lexington Counties to share equally in deficit financing of Richland-Lexington Airport, 119

COMMERCIAL FISHERIES LAWS

Fish and Game (this index)

COMMISSION ON UNIFORM STATE LAWS

(1961)

Contribution for, 386

COMMITTEES OR COMMISSIONS

See also Fiduciaries (this index)
(1961)

Continued

To cooperate with Water Pollution Authority, 726

COMMITTEES OR COMMISSIONS—Cont'd

Continued—Cont'd

To investigate loan agencies, time for reporting extended, 726

To study forestry, 727

Created, Advisory Committee for Technical Training, 543
Greenwood County, Courthouse, membership changed, 1158
Per diem allowance for members of, 396

COMMUNICATIONS

(1961)

Telephones, obtaining service by fraudulent means, 569
Telephonic, use of for indecent conversations prohibited, 451

COMPTROLLER GENERAL

(1961)

Appropriations for, 301, 540
 Confederate pensions, 302
 Confederate veterans, widows of, 302
 County auditors, 302, 303
 County printing, 302
 County treasurers, 302, 303
 Election expense, 303
 Registration supervisors, 302
Highway Department to pay share of administrative cost of, 388
Moneys appropriated spent only on warrant to Comptroller General, 391
Report on State revenue made to, 289
Requisition appropriations for payrolls and other expenses, 391
Warrants, to honor, for operation of House and Senate office between sessions, 294

CONFEDERATE MUSEUM

(1961)

Appropriations for, 385

CONFEDERATE PENSIONS

(1961)

Appropriation for Confederate veterans and widows to receive certain pensions, 302

CONFEDERATE RELIC ROOM

(1961)

Appropriations for, 327

CONFEDERATE WAR CENTENNIAL COMMISSION

(1961)

Appropriations for, 384

CONGAREE RIVER

(1961)

Construction of bridge across, between Richland and Lexington Counties, repealed, 607

CONSERVATION

Watershed—Water Supply and Waterworks (this index)

Soil—Soil Conservation (this index)

CONSTITUTION OF SOUTH CAROLINA

(1961)

Amendments proposed

Article I, Section 17, to increase fine without presentment to grand jury, 719

Article X, Section 5, to increase bonded debt of School District 5 in Florence County, 720

Amendments ratified

Article II, Section 13, City of Myrtle Beach may hold certain elections without petitions, 23

Article V, Section 21, Anderson County, magistrates in having additional jurisdiction to maintain office in City of Anderson, 248

Article V, Section 21, jurisdiction of magistrates, 174

Article VIII, Section 7, deleting provisos exempting Beaufort County and subdivisions from limitations on bonded debt, 117

Article X, Section 5, Beaufort County and subdivisions, provisos deleted which exempt from bonded debt limitations, 117

Article X, Section 5, Pickens County, bonded indebtedness of School District A increased, 118

Article X, Section 5, Williamsburg County, limitation on bonded indebtedness of the school district of, increased, 18

Article XVII, Section 12 added, General Assembly to fill any vacancy of State and local government in the event of emergencies resulting from disaster caused by enemy attack, and to perform duties to insure continuity of government, 664

CONSTRUCTION EQUIPMENT

(1961)

Use tax on, 406

CONTRACTORS

(1961)

Construction equipment, use tax on, 406

Licensing Board, State, appropriations for, 358

Nonresident, typographical error in law relating to withholding of taxes corrected, 51

CONTRIBUTIONS

(1961)

Miscellaneous appropriations, State General Appropriations Act, 384

CONVICTS

Prisons and Prisoners (this index)

CONWAY, CITY OF

(1961)

Mayor and councilmen, terms, 486
Rescue squad, created, 675

CORONERS

(1961)

Juries, provision requiring standing together until certain action taken, repealed, 45

Or solicitors may order autopsies or post mortems, 278

Spartanburg County, jury to consist of six men, 698

CORPORATIONS

See also **Charters** (this index)

(1961)

Business Development corporations, may borrow for short term, 499

Chester County, tax exemptions for certain, 712

Foreign, insurance companies whose sole business is lending money secured by real estate mortgages, exempted from laws relating to, 535

Income year defined, 233

Railroad, requirement that shop employees be paid semimonthly repealed, 424

Reports and license fees, 229

CORRECTIONS

(1961)

Spartanburg County Detention Home for children, abolished, 697

CORRECTIONS, DEPARTMENT OF

(1961)
Prison "use" law, agricultural products of prison labor exempted from for certain time, 471

COTTON

Agriculture (this index)

COUNCIL OF STATE GOVERNMENTS

(1961)
Contribution for, 385

COUNTIES

See also **particular county** (this index)

(1961)
Portion to counties of alcoholic liquors, bank, beer and wine, gasoline, income, and insurance taxes, 386, 402

Taxes, motor vehicles, payment of as condition for registration and licensing, 160

Technical and vocational training program, qualification for, 544

COURTS

See also

Clerks of Court (this index)
Juries and Jurors (this index)
Magistrates and Magistrates' Courts (this index)
Probate Courts and Judges (this index)
Municipal Corporations (this index)

(1961)
Charleston, City of, police and city court, who may hold in absence of recorder, 236

Children's courts, typographical error corrected, 45

Circuit courts

Appropriations for, 297

Change of venue, 562

Cherokee County, compensation of employees, 943

Clerks of courts of common pleas to be ex officio clerks of courts of general sessions and certain other courts, 605

Courts of common pleas to have jurisdiction of appeals from decisions removing school trustees from office, 416

Edgefield County, compensation of employees, 1055

Fifth circuit, provision that court of common pleas may

COURTS—Cont'd

Circuit courts—Cont'd

be open during term of court of general sessions, repealed, 6

General sessions, Pickens County, when jurors to attend, 276

Greenwood County, splitting of fines between county and certain municipalities, 593

Judges and widows, retirement pay of, 400, 540

Lancaster County, division of fines levied in, between county and municipalities, 103

Marlboro County, general sessions, number of petit jurors increased, 584

Reading of minutes of journal entries to judge by clerk, 42

Richland County, common pleas, jury matters disposed during entire March term, 501

Spartanburg County, compensation of employees, 1539

Who may administer oaths of judges, 275

Terms

Greenwood County, 578

Laurens County, common pleas, 71

Second Judicial Circuit, 409

Civil and Criminal Court of Charleston, appointment of temporary clerk, 233

Civil Court of Florence

Compensation of judge, 690

Jurisdiction extended if election favorable, 234

Dillon County, court facilities, 579

Greenville County, special judge, powers and duties of, 147

Horry Civil and Criminal, 139

Juvenile and Domestic Relations Court of Lexington County, fees, 1343

Municipal

Appeals and witnesses' testimony in cases involving children, 5

Circuit court to hear appeals from, notice, 7

Endorsement of warrants of, by magistrates, 587

Orders for judicial sales, 616

Orangeburg County, civil jurisdiction enlarged, 414

Prosecutors or witnesses, certain, discharge of on own recognizance, 39

COURTS—Cont'd

Recorders, Myrtle Beach, City of, suspend sentences, place on probation, 483

Supreme Court of South Carolina

Appeals to

From decisions of boards of adjustment, 8

In re injunctions and receivers, 12

Of decisions of planning commissions, 7

Appropriations for, 296

Retirement pay of justices and widows, 400

Rules and regulations, examination and admission of persons to practice law, 1605

York County, recorder, Rock Hill, office of ministerial created, 158

CRABS

Fish and Game (this index)

CREDIT UNIONS

(1961)

Changes in act governing, 175

May borrow from savings and building and loan associations and invest capital and surplus in savings and loan associations, 674

CRESCENT BEACH, TOWN OF

(1961)

May clean up vacant lots, 67

Rescue squad, created, 675

CRIMES AND OFFENSES

(1961)

Accessories before the fact, where tried, 40

Fines, constitutional amendment proposed to increase without presentment to grand jury, 719

Laurens County, bad checks, warrants not to be withdrawn until fee paid magistrate, 547

Licenses, certain institutions, penalties for failure to obtain, 550

Obtaining telephone service by fraudulent means, 569

Penalties for violations of laws no longer in effect, repealed, 100

DAIRY COMMISSION

(1961)

Appropriations for, 352

Regulation of marketing of dairy products, 512

Rules and regulations, 1626

DARLINGTON COUNTY

(1961)

Appropriations for educational purposes, 1001

Hartsville Community Center Building Commission, 443

Issue bonds for additional office facilities, 1004

Salaries of county commission, 670

School district of, borrowing by, 1002

DEAF AND BLIND, SCHOOL FOR

(1961)

Appropriations for, 312, 540

DEAD BODIES

Autopsies (this index)

DEATHS

Jasper County, fee for certifying records of, 223

DECEDENT'S ESTATES

See also Probate Courts and Judges (this index)

(1961)

Claims against, not filed within certain time barred, 172

DEDIMUS POTESTATEM

(1961)

Writs of, abolished, 38

DEEDS

Property (this index)

DEER

Fish and Game (this index)

DEFENSE

(1961)

State Council of, repealed, 422

DENMARK AREA TRADE SCHOOL

(1961)

Appropriations for, 543

DENMARK, CITY OF

(1961)

Changed from town to city, 822

DENTISTRY

(1961)

Solicitors to prosecute for violations of law relating to, repealed, 423

DEVELOPMENT

Planning and Development (this index)

DEVELOPMENT BOARD, STATE

(1961)
Appropriations for, 383
Director, ex officio member of technical training committee, 543

DILLON COUNTY

(1961)
Airport Commission created, 580
Appropriations, 1010, 1011
Board of commissioners, number increased, 583
Court facilities, 579
Election of commissioner from Huggins Township, 1010
Fee for copy of marriage license, 1022
Highway Department may construct road, 1007
Huggins Township created, 583
Law library, 579
Office hours, 1021
Schools

Centralized districts to have five trustees, 582
District 2 may borrow money, 1009
No member of county board of education to be recommended as superintendent of education, 660

Study possibility of constructing a lake near Little Pee Dee River, 1008

Taxes, 1011
Road tax, 1020

DISASTERS

(1961)
Continuity of government in event of, caused by enemy attack, constitutional amendment to allow ratified, 664

DIVERSION CANAL

(1961)
Seines, use of in, 151

DOGS

Animals (this index)

DOMESTIC RELATIONS

(1961)
Jasper County, fees for certifying divorces, 223
Service of process on nonresidents of persons out of state, in annulment or parental rights proceedings, 429
Voluntarily abandoned children, termination of parental rights, adoption, 607

DORCHESTER COUNTY

(1961)
Appropriations, 1025
Clerk of court may destroy certain chattel mortgages, 16
County attorney, 37
Forestry Board, members and terms, 1023
Hospital board, membership increased, 1024
Issue bonds
For new courthouse, 1035
School District 1, 1038
School District 2, 1041
Library created, 267
Master
Office of created, judge of probate not to act as, 19
Practice of law by, 115, 182
Membership of forfeited land commission, 116
Schools, annual audit of in, 250
Supervisor, office of created, 156
Taxes, 1025
Time for preparing jury list, 16

DOWER

Property (this index)

DRAINAGE

Water Supply and Waterworks (this index)

DRINKS, SOFT

Soft Drinks (this index)

DUELING

(1961)
Notaries public, oath as to, eliminated, 510
Oaths as to, eliminated, 49

EASLEY, CITY OF

(1961)
Complaints by members of fire and police departments to Civil Service Commission, 109
May contract to furnish water and sewage service, 107

EAU CLAIRE, TOWN OF

(1961)
Sale of water by, repealed, 508

ECONOMIC POISONS

(1961)
Definitions and license fees, 279
Obsolete laws, repealed, 435
Reports by State Crop Pest Commission concerning, 261

EDGEFIELD COUNTY

(1961)

- Appropriations, 1052
- Beaverdam Creek Watershed Conservation District may be formed, 1042
- Budget and Control Board may sell property in Aiken and Edgefield Counties, 752
- Clerk of court fees, 1056
- Compensation of jurors and court employees, 1055
- Johnston, Town of, closing of alleys in, 88
- Office hours, 1058
- Taxes, 1052
 - Exemptions, 1058

EDUCATION

See also **Schools and School Districts** (this index)

See also **Superintendent of Education, State** (this index)

(1961)

- Aiken County Commission for Higher Education
 - Created, 105
 - May borrow money, 768
- Appropriation for adult schools, 316
- Boards of education, county (see particular county)
- State Board of
 - Jurisdiction of appeals from removal of school trustees transferred to courts of common pleas, 416
 - Qualification requirements of attendance supervisors to be determined by, 617
- Committee for technical training
 - Beaufort County, 627
 - Spartanburg County, 657

EDUCATIONAL FINANCE COMMISSION

(1961)

- Advances to schools, 481
- Appropriations for, 319
- Per pupil allowance, 321
- School bonds, appropriation for payment of, 321
- School buildings, appropriations for, 320
- Shop construction and equipment, 320
- Transportation
 - Bus drivers
 - Adult, number of limited, 322
 - Certificates of merit, 322
 - Pay of, 322
 - Bus operating expense, 320

EDUCATIONAL FINANCE COMMISSION—Cont'd

Transportation—Cont'd

- Buses, purchase of additional, 320
- Buses, sale of, 321
- Trucks, service, purchase of, 322

ELECTIONS

(1961)

- Abbeville County, election of school trustees, 99
- Anderson County, School District 2, bond issue validated, 805
- Belton-Honea Path Water Authority, election of members, 536
- Bonds, before issuance of, for lighting, waterworks, fire protection or sewerage, provisions clarified, 511
- Candidates, nominated by petition, time for filing lengthened, 548
- Commissioners of general elections, salaries of, 303
- Dillon County, commissioner for Huggins Township, 1010
- Florence County, on extending territorial jurisdiction of civil court, 234
- Goose Creek, Town of, Berkeley County, terms of town officials increased, 671
- Greenville County, election of master, 596
- Greenville County School District No. 520, Boiling Springs to be included in election area II, 95
- Hanahan Public Service District Commissioners declared elected, 882
- Jury lists, when prepared in
 - Dorchester County, 16
 - Horry County, 68
- Managers and clerks of, salaries of, 303
- Managers and commissioners of, and clerk, oath as to dueling eliminated, 49
- Mayors, aldermen, councilmen, wardens and intendants
 - Abbeville, City of, 567
 - Blenheim, Town of, Marlboro County, terms, 692
 - Central Pacolet, Town of, 17
 - Cheraw, City of, terms of councilmen, 584
 - Conway, City of, terms, 486
 - Greenville, City of, mayor and council may fix terms of successors, 96
 - Lake City, City of, terms, 88
 - Patrick, Town of, Chesterfield County, terms, 570

ELECTIONS—Cont'd

Mayors, aldermen, councilmen, wardens and intendants—Cont'd
 Ridgeway, Town of, 90
 Timmons ville, Town of, terms, 24

Myrtle Beach, City of, elections on bond issues for waterworks and sewage disposal without petition, constitutional amendment ratified, 23

Oconee County

Creation of East Seneca Water District, validated, 1387

Superintendent of education and school trustees of the school district of, 650

Persons not qualified to vote, words "mentally incompetent" substituted for "idiots or insane," 50

Recorder, election of in Town of Prosperity in Newberry County, 262

Referendums

Anderson County, watershed conservation districts, 795

Fairfield County, on school tax levy, 131

Georgetown County, on commission form of government for Pawley's Island, 1090

Horry County, concerning teachers' salaries, 1234

Laurens County, bond issues to pay existing indebtedness, 1305

Lexington and Richland Counties, concerning creation of public service district, 1343

Pickens County, concerning retention of superintendent of education, 1431

Saluda County School District No. 1, may levy taxes only after, 120

Spartanburg County, Startex-Jackson - Wellford - Duncan Water District, concerning bond issue, 1509

Saluda County, school trustees, 699

Spartanburg County, on township road tax, repealed, 701

Voting precincts

Charleston, City of, wards 13 through 16 defined, 237

Charleston County, St. Andrew's Parish, 276

Fairfield County, Shelton eliminated, 10

Feasterville and Shelton consolidated, Horeb reinstated, 18

ELECTIONS—Cont'd**Voting precincts—Cont'd**

Greenville County, Ward 4, Box 6, Star Lane Bowling Center, 659

Greenwood No. 4, further defined, 36

Horry County, Hammond changed to Red Bluff, 121

Lancaster County, may remain open until 8:00 p. m., 661

Union County, 87

ELECTORS

(1961)

Presidential and vice-presidential, provisions for altered to comply with federal statutes, 246

ELECTRICITY

(1961)

Elections before bond issues for, provisions clarified, 511

Liberty, Town of, Pickens County, furnishing of service, 689

EMINENT DOMAIN

(1961)

Soil Conservation Districts may exercise

Greenville County, 506

Oconee County, 181, 586

Pickens County, 447

EMPLOYEES

Over-Age (this index)

Public Officers and Employees (this index)

(1961)

Unemployment Compensation tax increase for certain, 162

EMPLOYMENT SECURITY COMMISSION

(1961)

Appropriations for land and building, 723

Salaries of, 367

Unemployment Compensation tax, increase of for certain employees, 162

ENEMY ATTACK

(1961)

Continuity of government in event of, constitutional amendment to insure, ratified, 664

ESTATE TAX

Taxation (this index)

EVIDENCE

(1961)

Receiving of farmers' and planters' books as, repealed, 22

EXECUTORS AND ADMINISTRATORS

(1961)

Claims not filed with within certain time barred, 172

FAIRFIELD COUNTY

(1961)

Agricultural board, 25

Appropriations, 1061

For civil defense, 1058

Borrow money for schools, 1059

Business of hauling for hire with teams and wagons, repealed, 462

Construction of bridge across Broad River between Richland and Fairfield Counties, repealed, 606

Convey Mt. Zion Elementary School building to county for office building, 1061

Licenses required

Carnivals, road shows or circuses, 1072

Hawkers and peddlers, 1072

Ridgeway, Town of, terms of mayor and wardens, 90

School district of, number of trustees increased, 492

School tax levy in increased if referendum favorable, 131

Taxes, 1061

Transfer money from insurance fund, 1059

Voting precincts

Feasterville and Shelton consolidated, Horeb reinstated, 18

Shelton eliminated, 10

FEDERAL EMPLOYEES

(1961)

Children of to be charged in-state tuition, 396

FEES AND COSTS

See also **Clerks of Court** (this index)

See also **Probate Courts and Judges** (this index)

(1961)

Charleston County, fees for general guardians and lunacy commitments, 235

Chester County officers, collection of fees, receipts and payment to treasurer, 704

Hunting licenses, nonresident, 439

Jasper County, disposition of fees

For certain judicial sales, 222

For certifying certain records, 223

Secretary of State, fees charged by, 621

FEES AND COSTS—Cont'd

Sheriff's fees, how collected, 45

Spartanburg County, salaries of certain officials to be in lieu of, 688

York County, legal advertising costs, 263

FERRIES

(1961)

Across Black River and Catawba River, provisions repealed, 420

Laws relating to unnecessary delays at, repealed, 92

Owners of certain destroyed bridges may establish, repealed, 420

Provisions relating to certain privately owned, repealed, 420

Service across MacKay's Creek and Skull Creek in Beaufort County, provisions repealed, 419

FERTILIZER

(1961)

Rules and regulations of Board of Control, 1619

FIDUCIARIES

(1961)

Discharge of certain, 252

Reference to guardians and committees in provisions relating to trustees removing from State, eliminated, 425

FIRE

(1961)

Anderson County Fire Protection Commission created, 492

Building inspectors to inquire into origin of, 498

Chesterfield County, unlawful to start certain without permit, 499

Districts

Charleston County, Ashley, area and assets, 931

Spartanburg County, Croft, area of further specified, 250

Easley, City of, complaints by members of fire department to civil service commission, 109

Elections before bond issues for protection, provisions clarified, 511

Illegal to carry on bridges, repealed, 419

Provisions relating to burning of certain wains or carts and the burning of wood repealed, 40

Richland County, fire fighting units, 4

FISH AND GAME—Cont'd**Shooting preserves****Open season**

Game Zones 2 and 3, 459

Game Zone 6, 442

ShrimpBeaufort County, commercial
trawling for on Sunday, 147Boats, letters and numerals on,
138Open season for trawling in
certain areas, 451Penalties for violating trawling
laws, reference deleted, 505

Trawling area redefined, 149

Shucking houses, no longer re-
quired to plant oysters, 500Sturgeon, prohibition against fish-
ing within three mile limit out to
sea from Winyah Bay jetties,
abolished, 661**Trawling**Open season for shrimp and
prawn in certain areas, 451Shrimp and prawn, violation of
laws, reference deleted, 505Trout, closed season, creel limit,
size limit removed, creel search,
penalties, 136**Turkeys**Berkeley County, open season
on male wild, 277Wildlife Resources Department
to study and declare open
seasons on, Game Zones 2
and 4, 460Wateree Dam, Kershaw County,
fishing regulated within certain
distance of, 663**FISHBURNE, DR. W. K.**

(1961)

Continued employment of author-
ized regardless of age, 342**FLORENCE COUNTY**

(1961)

Appropriations, 1075, 1080

Civil court

Compensation of judge, 690

Jurisdiction extended if election
favorable, 234Coward Watershed Conservation
District may be formed, 1078

Deputy judge of probate, 93

Election concerning taxes for li-
brary purposes repealed, 1077Lake City, City of, terms of mayor
and councilmen, 88Lynch's Lake-Camp Branch Wa-
tershed Conservation District,
area of, 1079

Public library created, 257

FLORENCE COUNTY—Cont'd**Schools**

District 4, borrow money, 1077

District 5, constitutional
amendment proposed to in-
crease bonded indebtedness,
720Timmons'ville District 4, issue
bonds, 1073

Taxes, 1075, 1080

FLORENCE CRITTENTON**HOME (Charleston)**

(1961)

Contribution for, 386

FOLLY ISLAND

(1961)

May borrow money, 912

FORDING PLACES

(1961)

Laws relating to obstructions at,
repealed, 90**FOREIGN STUDENTS**

(1961)

Certain, to be charged in-state tui-
tion, 396**FORESTRY**

(1961)

Commission, State, appropriations
for, 364, 541Committee to study, continued, 727
Dorchester County Forestry Board,
members and terms, 1023Lee County Forestry Board, mem-
bers and terms, 1309State Board of Registration for for-
esters, 608**FORFEITED LAND****COMMISSION**

(1961)

Dorchester County, members, 116

FORT DORCHESTER

(1961)

Appropriations for, 541

FORTUNE TELLING

(1961)

Prohibited in Union County, 1576

FOXES

Fish and Game (this index)

FRANCOLINS

Fish and Game (this index)

**FRIPP ISLAND TOLL BRIDGE
AUTHORITY**

(1961)

Created, powers and duties, 240

FIRE—Cont'd

Rural Fire Control Boards

Created

Berkeley County, 713

Lee County, 563

Newberry County, 487

Oconee County, 483

Tax levies

Sumter County, 675

York County, 1586

FISH AND GAME

(1961)

Bag limits in Game Zone 8, 224

Canning plants, no longer required to plant oysters, 500

Catawba-Wateree Lakes, regulation of use of baskets in, 623

Clams, Beaufort County, exporting of, 148

Commercial fisheries laws, penalties, 622

Crab boats, letters and numerals on, 138

Deer, Wildlife Resources Department to study and declare open season on, Game Zones 2 and 4, 460

Fish, game, lights, use of; size limit, bag limits, 152

Fishing, Marion County, only hook and line permitted between Aerial's Cross Roads and Galivant's Ferry during certain times, 1363

Fox, reciprocal agreement with North Carolina for hunting of authorized, conditions, 722

Francolins, declared to be game birds, open seasons, regulations, 475

Game Zones

Nos. 2 and 3, open season for shooting preserves, 459

Nos. 2 and 4, study of and declaration of open seasons on deer and wild turkey by Wildlife Resources Department, 460

No. 2, trapping and sale of rabbits and bag limits, 101

No. 3, bag limit on rabbits, 422

No. 3, hunting from certain public roads prohibited, 30

No. 3, squirrel hunting season, 1961-62, in changed, 723

No. 6, hunting from public roads, 506

No. 6, open season in shooting preserves, 442

No. 8 created, 224

Georgetown County, Brookgreen Garden, sanctuary more clearly

FISH AND GAME—Cont'd

defined, sign posting, fishing and hunting prohibited, 132

Gigging for fish in certain areas of Georgetown County unlawful, 1097

Hartwell Reservoir, hunting and fishing regulated, reciprocal agreements authorized, 471

Hunting, from public roads, Game Zone 6, 506

Licenses

Hunting or fishing, blind persons, Boy or Girl Scouts not required to have, 452

Nonresident and temporary nonresident, fees increased, 439

Oysters

Seed, non-existent code reference deleted, 148

Shell or seed, quantity to be planted by lessees, 500

Pheasants, declared to be game birds, open seasons, regulations, 475

Prawn

Open season for trawling in certain areas, 451

Penalties for violating trawling laws, reference deleted, 505

Trawling area redefined, 149

Quail, tags, for commercial purposes reduced, 135

Rabbits

Bag limit

Game Zone 2, 100

Game Zone 3, 422

Trapping and sale of in Game Zone 2, 100

Savannah River, reciprocal agreement with State of Georgia, regarding fishing, 408

Seasons

Berkeley County, open season on male wild turkeys, 277

In Game Zone 8, 224

Open, declared by Wildlife Resources Department in Game Zones 2 and 4, 460

Seines, use of in Lakes Marion and Moultrie and Diversion and Tail Canals, 151

Shad

Catching of in Williamsburg County, 138

May be netted during certain season without license, 568

Prohibition against fishing for within three mile limit out to sea from Winyah Bay jetties, 661

FROZEN FOODS

(1961)

Regulation of frozen dairy products, 512

FUND RESERVE, GENERAL

(1961)

Provisions for, 403

FUNGICIDES

Economic Poisons (this index)

GAME

Fish and Game (this index)

GARBAGE

(1961)

Charleston County, Ashley Garbage Disposal District
Area of, 916
Disposition of assets, 932
Repealed, 933

GARDEN CITY, TOWN OF

(1961)

Rescue squad, created, 675

GARNER CONSTRUCTION COMPANY

(1961)

Restoration of charter, 730

GARNISHMENT

(1961)

Of earnings of judgment debtors, 450

GASOLINE TAX

Taxation (this index)

GATES

Highways and Streets (this index)

GENERAL ASSEMBLY

House of Representatives (this index)

Senate (this index)

(1961)

Appointment of certain officers and employees, 270

Clerks and sergeants at arms, extra session per diem and mileage provisions repealed, 270

Compensation of journal and bill clerks, repealed, 272

Compensation of officers and employees of, references to members deleted, 254

Constitutional amendment ratified to allow to provide for continuity of government in event of enemy attack, 664

GENERAL ASSEMBLY—Cont'd

Employees under control of sergeant at arms, repealed, 272

Marlboro County school budget to be submitted to, 566

Reports to by sanitary and drainage commissions no longer required, 47

Reports to by State Crop Pest Commission, 261

Stationery and postage, 272

GENERAL FUND OF THE STATE

(1961)

State income credited to, 289

GENERAL RESERVE FUND OF THE STATE

(1961)

Amount to be set aside, 403

GEORGETOWN COUNTY

(1961)

Appropriations, 1094

Brookgreen Gardens, fish and game sanctuary, area redefined, 132

Compensation of Jurors, 1098

Gigging for fish in certain areas unlawful, 1097

Issue bonds for school facilities, 1091

Pawley's Island, referendum on commission form of government, 1090

Taxes, 1094

GEORGIA, STATE OF

(1961)

Reciprocal agreements with

Fishing in Savannah River, 408

Hartwell Reservoir, 471

GIFTS

(1961)

Minors, of securities and money to, 554

GIRL SCOUTS

(1961)

May hunt and fish without licenses, 452

GOLF

(1961)

Certain tournaments may be held on Sundays, 98

GOVERNOR

(1961)

Appropriations, 298

Identification Bureau, 299

Law enforcement, 299, 540

Mansion and grounds, 299

GOVERNOR—Cont'd

Oath as to dueling, eliminated, 49
Salary of, 298

GRAND STRAND BROADCASTING CORPORATION

(1961)

Restoration of charter, 730

GRANTS

(1961)

Pursuant to Hatch Act, acceptance of by Clemson Agricultural College, 662

GREENTOP FARMS, INC.

(1961)

Restoration of charter, 729

GREENVILLE, CITY OF

(1961)

Greenville-Spartanburg Airport District, bond issue, 264

Mayor and council to set terms of successors, 96

Special purpose districts in Greenville County may sell water systems to, 1114

GREENVILLE COUNTY

(1961)

Appropriations, 1136

Board of commissioners, membership, terms, compensation, to act as advisory board, actions of legislative delegation relative to, 599

Comptroller, formerly designated bookkeeper, 707

County court

Expenditures validated, 1132

Judge, special, powers and duties, 147

Greenville, City of, mayor and council to fix terms of their successors, 96

Greenville-Spartanburg Airport District, bond issue, 264

Investments by, 118

Library created, 431

Master, election and appointment, 596

Mauldin-Simpsonville-Fountain Inn Hospital District created, 1100
Amended, 1108

Purchasing, provisions repealed, 707

Rights of way, widths may be reduced, 502

Schools, District 520 election area, Boiling Springs included in Area II, 95

Soil Conservation District, eminent domain, 506

GREENVILLE COUNTY—

Cont'd

Special service districts in may sell water systems to City of Greenville, 1114

Supervisor

Quarterly statements, warrants to show fund from which money drawn, repealed, 707

Use of county machinery and prison labor, 630

Taxes, 1136

Exemption, Boys of America home, 430

Treasurer, filing certain statements with supervisor, repealed, 707

Water and sewer districts

Gantt

Contracts for collection and disposal of garbage, 1108

May be added to commission of sanitation of Greater Greenville Sewer District, 1107

May issue bonds, 1117

Land transferred from Gantt to Parker, 1099

May employ attorneys, 1135

Paris Mountain, created, 1120

Voting precincts, Ward 4, Box 5, Star Lane Bowling Center, 659

GREENWOOD, CITY OF

(1961)

To receive one half of certain circuit court fines, 593

GREENWOOD COUNTY

(1961)

Appropriations, 1176

Borrowing by municipal corporations, 278

Cities and towns in, commissioners of public works of, may borrow money, conditions, ratification of borrowings made, 157

Courthouse renovating and building committee, membership changed, 1158

Courts, terms of, 578

Disposition of circuit court juries, 593

Fees of clerk of court and judge of probate, 693

Finance Board

Clerk to make disbursement reports, 594

May borrow money, 1172

To be purchasing agent, 694

To operate water line to fairgrounds, 594

Greenwood No. 4 voting precinct further defined, 36

GREENWOOD COUNTY—

Cont'd

Lander Foundation may borrow money for sprinkler system, 1169
Meetings of boards and commissions to be open to public, exceptions, 697
Payment of hospital claims, 1157
Public service districts created
Chinquapin Road, 1201
Southeast Greenwood, 1191
Sewer service charges for Greenwood Metropolitan District, 1173
Taxes, 1176
Use of equipment, chain gang and county employee labor, may be used to aid eleemosynary institutions, 696
Watershed conservation districts may be formed, 1159
Amended, 1170

GOOSE CREEK, TOWN OF

(1961)

Terms of town officials, 671

GUARDIAN AND WARD

(1961)

Charleston County, fees for general guardians, 235
Reference to guardians in provisions relating to trustees removing from state, eliminated, 425
Termination of guardianship when children voluntarily abandoned, 607

HAMPTON COUNTY

(1961)

Appropriations, 1211
Bond of treasurer and any assistant, 449
Officials to file commissions, 409
Penalties against county officials violating certain laws, 669
Physician for prisoners, 669
Salaries of certain officers, 668
School District 2 may borrow money, 1209
Taxes, 1211
Exemptions
Manufacturing enterprises, 1220
Members of armed services, 1219
Road, 1216

HANAHAN PUBLIC SERVICE DISTRICT

(1961)

Building construction permits, issuance of, 672
Commissioners declared elected, 882

HARD OF HEARING PROGRAM

(1961)

Appropriations for, 315

HARTSVILLE, TOWN OF

(1961)

Community Center Building Commission created, 443

HARTWELL RESERVOIR

(1961)

Hunting and fishing regulated, reciprocal agreements authorized, 471

HARTZOG, DR. L. A.

(1961)

Continued employment of authorized regardless of age, 342

HATCH ACT

(1961)

Grants from, acceptance by Clemson Agricultural College, 662

HAWKERS

(1961)

Fairfield County, licenses, 1072

HEALTH AND SANITATION

See also **Hospitals** (this index)

See also **Mental Health** (this index)

(1961)

Aiken County, bond to insure sanitation required of traveling shows, 30

Bennettsville, Town of, tax levy for, 585

Board of Health, State

Appropriations for administration, personal service, services and supplies, tabulating, vital statistics, public health education, hospital construction, merit system, disease control, tuberculosis control, venereal disease, heart disease control, cancer control, epidemiology, dental health, sanitary engineering, maternal and child health, and crippled children, 343

Patrolling coastal shell fish areas, 541

Rules and regulations, sewage stabilization ponds, communicable diseases, control of anthrax, 1627

Board of Nursing, rules and regulations, 1651

Charleston County board of health, recommend commitment of mentally ill to State Hospital, 11

HEALTH AND SANITATION—

Cont'd

Employment continued of Doctors

W. K. Fishburne, L. A. Hartzog, and L. C. Stukes authorized regardless of age, 342

Dr. Leon Banov, 911

Horry County, transfer vital statistics records to county health department, 1250

Sanitation and drainage commissions, reports to General Assembly not to be made, 47

York County health department, vital statistics reports, 89

HIGHWAY DEPARTMENT

See also **Highways and Streets**

(this index)

(1961)

Administration cost to be paid for proportionate share of operation of Comptroller General's Office, State Budget and Control Board, State Tax Commission and State Treasurer's office, 388

Appropriations for, 387

Construct road in

Dillon County, 1007

Kingstree, City of, 1577

Pickens County, 1432

Union County, 1557, 1558

Fees, authorized to charge certain, 388

Gervais Street bridge, authorized to pay for lighting of, 387

License plates, special, for public owned vehicles, 399

May construct and maintain belt lines or spurs, annual fund allocation cumulative, 470

May reduce widths of rights of way in Greenville County, 502

Minimum wage for employees, 387

Parks, roadside, authorized to maintain, 400

Postage for vehicle licenses mailed, 387

Remove from highway system, roads in

Abbeville County, 754

Aiken County, 768

Marlboro County, 1376

Reimbursement agreements, Beaufort County, 857

Sale of junk, obsolete and surplus material, 388

Special funds, authorized to set up with State Treasurer, 387

HIGHWAYS AND STREETS

See also **Highway Department** (this index)

HIGHWAYS AND STREETS—

Cont'd

(1961)

Alleys, closing of in Johnston, 88

Anderson County, naming of streets and numbering of lots, 97

Beaufort County, issue bonds for improvements to, 851

Belt lines or spurs, construction and maintenance, annual fund allocations cumulative, 470

Bennettsville, Town of, tax levy for, 585

Bridges

Certain provisions relating to privately owned toll, repealed, 420

Construction of repealed

Across Broad River between Richland and Fairfield Counties, 606

Across Congaree River between Lexington and Richland Counties, 607

Ashley River, Charleston County, 606

Illegal to carry fire on and construct certain buildings near, 419

Owners of certain destroyed, may establish ferries, repealed, 420

Passage of vessels under, provisions repealed, 426

Closing of

Abbeville County, 754, 755

Aiken County, 768

Berkeley County, 883

Charleston, City of, 928

Charleston County, 929

Columbia, City of, 750

Marlboro County, 1376

Ocean Drive Beach, Town of, 1233

Gates, construction and maintenance, repealed, 418

Highway Department to construct road in

Dillon County, 1007

Kingstree, City of, 1577

Pickens County, 1432

Union County, 1557, 1558

Hunting from public roads, prohibited in Game Zone 6 under certain conditions, 506

Laws relating to unnecessary delays at toll bridges, causeways or public ferries, repealed, 92

Rights of way, widths may be reduced in Greenville County, 502

Spartanburg County, road tax, townships, supervisor's authority over certain roads, repealed, 701

HIGHWAYS AND STREETS—

Cont'd

Thoroughfare, construction of through State Hospital property, 621

Toll roads, privately owned, certain provisions repealed, 420

HILTON HEAD

(1961)

Forest Beach Public Service District created on, 857

HONEA PATH, TOWN OF

(1961)

Belton-Honea Path Water Authority created, 76

Belton-Honea Path Authority, "Patrons" defined, Honea Path may contract with, elections for members, vacancies, 536

HORRY COUNTY

(1961)

Acts and instruments of Horry County Board of Education validated, 1234

Appropriations, 1236

Clerk of court to transfer vital statistics records to county health department, 1250

Civil and Criminal Court, 139

Conway, City of, terms of mayor and councilmen, 486

Hammond voting precinct, changed to Red Bluff, 121

Jury lists, when prepared, 68

May clean up vacant lots

Cherry Grove Beach, Town of, 414

Crescent Beach, Town of, 67

Loris, Town of, 594

May issue bonds for industrial training school, 1235

Ocean Drive Beach, Town of

Bond issue validated, 1221

May abandon streets, 1233

May dispose of property, 1223

Nonresident laundry, dry cleaner operators to be licensed, must show financial responsibility before operating vehicle, 184

Probate judge to charge fee for marriages, 185

Referendum concerning tax levy for teachers' salaries, 1234

Rescue squads created at Conway, Myrtle Beach, Loris, Crescent Beach and Garden City, 675

Taxes, 1236

Returns and lists, provisions repealed, 10

HORRY COUNTY—Cont'd

Watershed conservation districts may be formed, 1223

HORSES

Animals (this index)

HOSPITALS

See also **State Hospital** (this index) (1961)

Allendale County, borrow money, 786

Cherokee County, appropriation for, 935

Chester County

Accounts receivable ledger, 949

Bad debts, records of, 949

Borrow money, 948

Chesterfield County Memorial, borrow money, 962

Clarendon County Memorial, borrow money, 987

Dorchester County, membership of board increased, 1024

Greenville County, Mauldin-Simpsonville-Fountain Inn Hospital District created, 1100

Amended, 1108

Greenwood County, payment of hospital claims, 1157

Jasper County, Ridgeland Hospital to be air conditioned, 1250

Licensing of certain, penalties, 550

Newberry County, borrow money, 1378

Richland County, Columbia, borrow money, 1448

Use of county income tax allocation for hospital care of certain persons, 663

Veterans Administration hospitals, admittance of mentally ill or deficient to, 411

York County

Borrow money, 1585

Membership of board increased, 1601

HOUSE JOURNAL INDEX

(1961)

Prepared by clerk at cost not to exceed \$300.00, 294

HOUSE OF REPRESENTATIVES

(1961)

Appointment of certain officers and employees, 270

Appropriations for, 291, 540

Clerk's office, 293

Chaplain for, election day of, 254

Clerk of, provision for certain certificates furnished by, repealed, 253

HOUSE OF REPRESENTATIVES—Cont'd

Clerks and sergeants at arms, extra session per diem and mileage provisions repealed, 270

Compensation of journal and bill clerks, 272

Employees under control of sergeant at arms, repealed, 272

Hall to remain open to visitors during certain hours, 295

Members, apportionment of, 403

Postage and stationery, 272

Reports to by State agencies, to include court matters, 1901

Speaker, may administer oaths of circuit judges, 275

HUGGINS TOWNSHIP

(1961)

Created in Dillon County, 583

HUNTINGTON BEACH PARK

(1961)

Appropriation for, 541

INCOME TAX

See also **Taxation** (this index)

(1961)

"Adjusted gross income," defined, 228

Portion of to counties, 386, 402

Reporting income by installment method, 226

Seven and one-half per cent of State income taxes remitted to counties, 308

INCOMPETENT AND INSANE PERSONS

(1961)

Admittance of, to Veterans Administration hospitals, 411

Charleston County, fees for lunacy commitments, 235

May not contract matrimony, words "mentally incompetent persons" substituted for "idiots and lunatics," 48

Not qualified to vote, words "mentally incompetent" substituted for "idiots or insane," 50

Recommendation by Charleston County Board of Health for commitment to State Hospital, 11

INDECENT WORDS

(1961)

Use of telephonic communications for transmission of, prohibited, 451

INDUSTRIAL COMMISSION

(1961)

Appropriations for, including administration, coverage claims, clerical, medical, safety, statistical state fund, contractual services and other services, 368

Assistant Attorney General for, 305
Workmen's Compensation insurance for State employees, 384

INDUSTRIAL SCHOOL FOR BOYS

(1961)

Appropriations for, 334

INDUSTRIAL SCHOOL FOR GIRLS

(1961)

Appropriations for, 334

INDUSTRIAL SCHOOL FOR NEGRO GIRLS

(1961)

Appropriations for, 335, 541

INDUSTRIAL SCHOOLS' BOARD

(1961)

Appropriations for administration and juvenile placement bureau, 333

INDUSTRY

Manufacture and Manufacturing

(this index)

INFANTS

Minors (this index)

INHERITANCE TAX

Taxation (this index)

INJUNCTIONS

Actions or Suits (this index)

INSECTICIDES

Economic Poisons (this index)

INSTITUTIONS OF HIGHER LEARNING

See also particular institution (this index)

(1961)

Athletic contests no longer exempt from amusement taxes, 466

INSURANCE

(1961)

Commissioner

Appropriations for, 356, 541

Assistant Attorney General for, 305

INSURANCE—Cont'd**Commissioner—Cont'd****Rules and regulations**

- Additional extended coverage endorsement, 1630
- Advertisements, 1647
- Annual and short term automobile policies, 1629, 1650
- Annual renewal plan, 1630
- Certain loans secured by first mortgage on leasehold estates, 1645
- Claims, adjustment of, 1640
- Credit insurance, 1631
- Definitions, 1634
- Dividends on expired policies, 1630
- Foreign insurance companies, admission into State, 1630
- Forms, rates and rate deviations filing procedures, 1631
- Investments, 1641
- Licensing agents, brokers and adjusters, 1646, 1647
- Life insurance policies, participation in funds created by, 1630
- Liquefied petroleum gas, 1648
- Multiple line underwriting, 1631
- Reciprocal agreements, 1640
- Revocation of regulations, 1648
- Similarity of names of companies, 1650
- Term insurance rule, 1640
- Term of automobile liability policies, 1640
- Windstorm and hail \$50.00 deductible clause, 1640
- Companies or agents, license fees or taxes due municipalities, 273
- Companies which only lend money secured by real estate mortgages exempt from foreign corporation laws, 535
- Foreign companies, conduct of fire insurance business, repealed, 421
- Group accident and health insurance, certain code references corrected, 417
- Tax, portion of to counties and municipalities, 386
- Uninsured motorists fund, payment to only once per year, 463

INTOXICATING LIQUORS

Alcohol and Alcoholic Beverages
(this index)

INVESTMENTS

(1961)

Greenville County, 118

JAILS AND JAILORS

(1961)

- Beaufort County, issue bonds for addition to, 848
- Lancaster County, jail costs to be deducted before fines divided between Lancaster County, and municipalities of the county, 103
- Seamen lodged in jail, vessel master to post bond, repealed, 509

JAMES ISLAND

(1961)

- Medical College, authority to construct animal laboratory on, repealed, 735

JASPER COUNTY

(1961)

- Appropriations, 1252
- Board of education
 - May borrow money, 1251
 - May pay outstanding judgment, 94
 - Members, appointments, terms, 710
- Clerk of court may destroy certain chattel mortgages, 222
- Development board, 26
- Disposition of fees for certifying certain records, 223
- Judicial sales, disposition of fees, 222
- Magistrates courts, juries and terms of in, 251
- Ridgeland Hospital to be air conditioned, 1250
- Taxes, 1252
- Transfer funds from general fund to contingent fund, 1251

JOHN DE LA HOWE SCHOOL

(1961)

- Appropriations for, 311

JOHN G. RICHARDS INDUSTRIAL SCHOOL

(1961)

- Appropriations for, 335

JOHNSON, MRS. D. B.

(1961)

- Continued employment authorized regardless of age, 310

JOHNSTON, TOWN OF

(1961)

- Closing of alleys, 88

JUDGES AND JUSTICES

(1961)

Circuit judges, president of Senate and Speaker of House of Representatives may administer oaths of, 275

Greenville County Court, special judge of, powers and duties, 147

Horry, Civil and Criminal Court of, additional salary of judge, 144

Judge of Civil Court of Florence, compensation, 690

Retirement pay of, 400, 540

Widows of, appropriation for, 296, 297

JUDGMENTS

(1961)

Garnishment of wages of judgment debtors, 450

Jasper County board of education may pay, 94

JUDICIAL COUNCIL

(1961)

Appropriation for, 384

JUDICIAL DEPARTMENT

(1961)

Appropriations for, 296, 540

Justices, judges and widows, retirement pay of, 400, 540

JUDICIAL SALES

(1961)

Jasper County, disposition of fees, 222

Times for holding, 616

JURIES AND JURORS

(1961)

Compensation of

Barnwell County, 847

Cherokee County, 943

Edgefield County, 1055

Georgetown County, 1098

Orangeburg County, 1404

Spartanburg County, 1539

Coroner's Juries

Certain provisions relative to, repealed, 45

Spartanburg County, to consist of only six men, 698

Grand jury, constitutional amendment proposed to increase fine without presentment to, 719

Jurors, number of petit increased in Marlboro County, 584

Jury lists, Dorchester County, time for preparing, 16

Pickens County, when jurors to attend court of general sessions, 276

JURIES AND JURORS—Cont'd

Richland County, jury matters may be disposed of during entire March term of court of common pleas, 501

JUVENILE-DOMESTIC RELATIONS COURTS

Courts (this index)

KENNELS

(1961)

Dogs, liens on, conditions, 135

KERSHAW COUNTY

(1961)

Appropriations, 1261

Law enforcement board, abolished, 31

Library, 31

Recreation, colored people, 134

Rural police abolished, 31

Taxes, 1261

Wateree Dam, regulation of boating and fishing within certain distance of, 663

KINGSTREE, CITY OF

(1961)

Highway Department may construct road in, 1577

LABOR

(1961)

Department, State, appropriations for, 366

LAKE CITY, CITY OF

(1961)

Mayor and councilmen, terms, 88

LANCASTER COUNTY

(1961)

Appropriations, 1281

Board of education may borrow money, 1279

Bond issue of 1960 amended, 1280

County home property may be leased, 1274

Fines, division of between county and municipalities, 103

May borrow money, 1275, 1277

Repealed, 1275

Reversionary clause may be deleted from deed conveying abandoned school buildings to Van Wyck Community Center, 1276

Tax collector, office created, 165

Taxes, 1281

Voting precincts, may remain open until 8:00 p. m., 661

Water and sewer district may contract for service, 1278

LANDER COLLEGE

(1961)

Sprinkler system, 1169

LAUNDRIES AND DRY CLEANERS

(1961)

Horry County, nonresidents must have license to operate, 184

LAURENS COUNTY

(1961)

Bad checks, warrants for, not to be withdrawn until fee paid magistrate, 547

Court of common pleas, terms of, 71

Library created, 544

May borrow money to replenish reserve fund, 1295

May issue bonds if election favorable, 1305

Tax districts redefined, 490

Watershed conservation districts may be formed, 1295

LAW ENFORCEMENT

Police (this index)

LAW LIBRARIES

Libraries (this index)

LAW, PRACTICE OF

(1961)

Applicants for admission to, when in military service, repealed, 508

Qualifications of applicants for examinations by law examiners for admission to, repealed, 508

Supreme Court rules and regulations relating to admission to, 1605

LAWS

(1961)

Proof of, of foreign jurisdiction, provisions repealed, 4

LEE COUNTY

(1961)

Appropriations, 1320

Fire control, board of, created, 563

Forestry Board, members and terms, 1309

Judge of probate

May retain marriage license fees, 1327

When may act as master, 115

Lynchburg-Shiloh Watershed Conservation District, lands within Atkins Drainage District added to, 1545

Rural police system abolished, 23

LEE COUNTY—Cont'd

Taxes, 1320

Board of tax appeals, appointment and number of members, 85

Watershed conservation districts may be formed, 1310

LEGAL ADVERTISEMENTS

(1961)

York County, costs, 263

LEGISLATIVE COMMITTEES

See also **Committees** (this index)

(1961)

Members to be paid regular per diem, 295

LEGISLATIVE COUNCIL

(1961)

Appropriations for, 292, 540

LEGISLATIVE DEPARTMENT

(1961)

Appropriations for, 289, 539

LEXINGTON COUNTY

(1961)

Appropriations, 1333

Construction of bridge across Congaree River between Richland and Lexington Counties, repeal, 607

Election concerning creation of a public service district, 1343

Joint planning commission with Richland County, 599

Juvenile and domestic relations court fees, 1343

May borrow money, 1331

Richland-Lexington Airport District, 53

Taxes, 1333

To contract with Richland County and City of Columbia to share equally in deficit financing of Richland-Lexington Airport, 119

LIBERTY, TOWN OF

(1961)

Furnishing of electric, water and sewage services, 689

LIBRARIES

See also **South Carolina Library Board** (this index)

See also **State Library** (this index) (1961)

Contracts by

Aiken County, 785

Barnwell County, 843

Cherokee County, 655

Spartanburg County, 690

LIBRARIES—Cont'd

Created

- Allendale County, 72
- Beaufort County, 665
- Dillon County, law, 579
- Dorchester County, 267
- Florence County, 257
- Greenville County, 431
- Kershaw County, 31
- Laurens County, 544
- Florence County, election concerning taxes for repealed, 1077

LICENSES AND LICENSE TAXES

See also **Building Permits** (this index)

(1961)

- Armed Services, members of on furlough or leave may fish or hunt without, 373
- Business license stamps, sale of to nonresident merchants or manufacturers, 101
- Business or professional licenses in Cities of Charleston and Columbia, 691
- Carnivals, circuses and traveling shows
 - Fairfield County, 1072
 - Union County, 1576
- Corporation licenses, fees and reports, 229
- Cotton, licenses for trafficking in long, repealed, 9
- Dillon County, marriage, copies of, 1022
- Fishing, blind persons, boy or girl scouts not required to have, 452
- Economic poisons, 279
- Foresters, licensing of, 608
- Fortune tellers, Union County, 1576
- Hartwell Reservoir, hunting and fishing licenses, 471
- Hawkers and peddlers, Fairfield County, 1072
- Horry County, nonresident launderers to be licensed before they do business, 184
- Hunting
 - Blind persons, boy or girl scouts not required to have, 452
 - Fees for nonresident, 439
 - Fox, reciprocal agreement with North Carolina regarding, authorized, 722
- Institutions, certain, licensing of, penalties, 550
- Lee County, judge of probate may retain marriage license fees, 1327
- Motor vehicle, uninsured motorists license revocation for points pro-

LICENSES AND LICENSE

TAXES—Cont'd

- vision, deleted, license restored, 155
- Municipal corporations, determination of amount due from fire insurance companies or agents, 273
- Permits
 - Building
 - Hanahan Public Service District, Berkeley County, 672
 - Richland County, 716
 - Spartanburg County, 700
 - Chesterfield County, to start certain fires, 499
 - Hartwell Reservoir, hunting and fishing, 471
 - Parking facilities, certain, municipal governing body may issue, 553
- Shad, netting of, during certain season, license not necessary, 568

LIENS

(1961)

- For cleaning up vacant lots
 - Barnwell, City of, 669
 - Cherry Grove Beach, Town of, 414
 - Crescent Beach, Town of, 67
 - Loris, Town of, 594
- Garnishment of earnings to satisfy certain judgments, 450
- Richland County, penalties for building permit violations to constitute, 716
- Stable or kennel keepers entitled to, conditions, 135

LIEUTENANT GOVERNOR

(1961)

- Appropriations for, 289
- Mileage of, 295

LIQUOR

Alcohol and Alcoholic Beverages
(this index)

LOAN COMPANIES, SMALL

Small Loan Companies (this index)

LOANS

(1961)

- From United States for public utilities, obsolete provisions deleted, 549

LORIS, TOWN OF

(1961)

- May clean up vacant lots, 594
- Rescue squad, created, 675

LUNACY
Incompetent and Insane Persons
(this index)

LYNCHBURG, TOWN OF
(1961)

Council to recommend appointment of member of Lee County tax appeals board, 85

McCORMICK COUNTY
(1961)

Appropriations, 1347

Board of commissioners abolished, 3

Building permits, 29

Loan to American Legion Fair Association and purchase of Town of McCormick bonds, validated, 1346

Property board created, 75

Taxes, 1347

Transfers of funds, 1346, 1347

MAGAZINES

(1961)

Purchase of land by United States for erection of, repealed, 421

MAGISTRATES AND MAGISTRATES' COURTS

(1961)

Anderson County, magistrates in having additional jurisdiction to maintain office in City of Anderson, 248

Appeals from, notice of, 7

Barnwell County, statements concerning fines, 847

Endorsement of warrants, 587

Jasper County, juries and terms of court in, 251

Jurisdiction of magistrates

Charleston County, St. Andrew's Parish, 274

Cherokee County, for issuance of warrants and other civil processes, 947

Constitutional amendment relating to, ratified, 172

Marion County, 629

Spartanburg County, 503

Laurens County, bad check warrant not to be withdrawn until fee paid, 547

Spartanburg County

May issue building permits, 700

Number and jurisdiction, 503

Terms of magistrates

Aiken County, 565

Beaufort County, 89

Orangeburg County, 3

Saluda County, 71

MANUFACTURE AND MANUFACTURING

(1961)

Economic poisons, 279

Sale of business license stamps to nonresident manufacturers for individual use, 101

Tax exemptions

Barnwell County, 847

Beaufort County, 17

Berkeley County, 132

Edgefield County, 1058

Hampton County, 1220

MARINERS

Seamen (this index)

MARION COUNTY

(1961)

Appropriations, 1355

Fishing between Aerial's Cross Roads and Galivant's Ferry, only hook and line permitted during certain times, 1363

Magistrates, civil jurisdiction, 629

Mullins Rescue Squad, created, 52

Planning and development board, membership increased, 629

Taxes, 1355

MARION, LAKE

(1961)

Seines, use of in, 151

MARLBORO COUNTY

(1961)

Appropriations, 1368

Bennettsville, Town of, tax levy for health and highway purposes, 585

Blenheim, Town of, terms of mayor and councilmen, 692

Highway Department to remove roads from system, 1376

Petit jurors, number increased for general sessions court, 584

Schools

Board of education, appointment, vacancies, trustees of administrative areas, terms, appointments, vacancies, 702, 703

Budget, to be submitted to General Assembly, tax levy, 567

Taxes, 1368

MARRIAGE

(1961)

Annulment, service of process on nonresidents and out of state persons, 429

MARRIAGE—Cont'd

Horry County, probate judge to charge fee for ceremonies, 185

Jasper County, fees for certifying certificates, 223

Licenses

Dillon County, fee for certified copy, 1022

Lee County, judge of probate to retain fee, 1327

Who may contract, words "mentally incompetent persons" substituted for "idiots and lunatics", 48

MASTERS IN EQUITY

(1961)

Dorchester County

Office of, created, 19

Practice of law by, 115, 182

Greenville County, election and appointment, 596

Lee County, when probate judge may act as, 115

Typographical error in law relating to filling of vacancies corrected, 41

MEDICAL CARE

(1961)

Use of county income tax allocation for, certain persons to receive, 663

MEDICAL COLLEGE OF THE STATE OF SOUTH CAROLINA

(1961)

Appropriations for, 310

Board of trustees

Construct animal laboratory, authority to, repealed, 735

Convey certain land in Charleston to United States, 734

Sell land in Colleton County, 733

Cancer clinics, 310

Medical college hospital, 310

Money derived from athletic contests not to be considered, State funds, 392

Psychiatric residency training, 310

Requisition appropriations for payroll and other expenses, 392

Residence on grounds, president may occupy, 393

Revenues or income to be remitted to State Treasurer, 391

Scholarships, provision for, 310

School of Nursing, 310

Tuition

Fees to be remitted to State Treasurer, 392

For 1961-1962 to be not less than 1960-1961, 391

MENTAL HEALTH

See also **Incompetent and Insane Persons** (this index)

See also **State Hospital** (this index) (1961)

Appropriations for, Mental Health Committee, 384

Commission, appropriation for, 329, 540

Establishment of community mental health services programs, 110

Licensing of certain institutions, penalties, 550

MERCHANTS

(1961)

Country, exceptions from certain laws, repealed, 423

Equipment and inventory of, adjustment of taxes on, 721

Sale of business license stamps to nonresident merchants for individual use, 101

MICROPHOTOGRAPHY

(1961)

Charleston County, records, 656

MILK AND MILK PRODUCTS

(1961)

Regulation of marketing of dairy products, 512

Rules and regulations of Dairy Commission, 1626

MINORS

(1961)

Children's courts, certain counties, typographical error corrected, 45

Determination of parental rights, service of process, 429

Gifts, certain to, 554

Indentured apprentices, laws relative to repealed, 100

Spartanburg County Detention Home for Children, abolished, 697

Voluntarily abandoned, termination of parental rights, adoption, 607

Witnesses testimony and appeals in cases involving, 5

MONEY

(1961)

Gifts of to minors, 554

MORTGAGES

See also **Liens** (this index)

(1961)

Chattel

Disposal of

Allendale County, 692

Anderson County, 605

MORTGAGES—Cont'd**Chattel—Cont'd****Disposal of—Cont'd**

Dorchester County, 16

Jasper County, 222

Sumter County, 698

Fees for recording

Cherokee County, 670

Insurance companies which only lend money secured by real estate mortgages in State, exempt from laws governing foreign corporations, 535

Mortgage of property, renunciation of dower by power of attorney, 428

MOTOR BOATS

Watercraft (this index)

MOTOR BIKES AND SCOOTERS

Motor Vehicles (this index)

MOTOR TRANSPORTATION FEES

(1961)

Portion to municipalities, 386

MOTOR VEHICLES

(1961)

Horry County, nonresident launderers to show financial responsibility, 184

Motor bikes, scooters and similar vehicles, registration and licensing of, 159

Municipal governing bodies may permit certain parking facilities, 553

Publicly owned, special license for, 399

Registration and licensing of, payment of taxes as condition, 160

Spartanburg County, use of confiscated vehicles by sheriff, 709

Uninsured motorists

License revocation for points, provision deleted, license restored, 155

Motor scooters, bikes and similar vehicles, licensing of, 159

Uninsured motorists fund, payment of fee only once per year, 463

MOULTRIE, LAKE

(1961)

Seines, use of in, 151

MULLINS, TOWN OF

(1961)

Rescue squad, 52

MUNICIPAL CORPORATIONS

(1961)

Analysis of water supplies of, 21

Business and professional licenses, in cities of over 70,000, 691

Certain statutes to apply to municipal corporations when population increased by annexation, 427

Coastal municipalities, criminal jurisdiction over piers and ocean waters, 657

Courts

Appeals and witnesses' testimony in cases involving children, 5

Endorsement of warrants of, by magistrates, 587

Notice of appeals from, 7

Governing body of may permit construction of certain parking facilities, 553

Inspectors of buildings, to inquire into origin of fires, 498

License fees and taxes, fire insurance companies or agents, 273

Public baths, establishment of in cities of more than 20,000, repealed, 511

Taxes, motor vehicles, payment of as condition for registration and licensing, 160

To receive portion of tax on alcoholic liquors, beer and wine, insurance, banks and motor transport fees, 386

MYRTLE BEACH, CITY OF

(1961)

Bond issues for waterworks and sewage disposal, without petitions, 69

Elections on bonded debt without petition, constitutional amendment ratified, 23

Recorder, suspension of sentences, probation, 483

Rescue squad, created, 675

NATIONAL GUARD

Armories (this index)

NEWBERRY COUNTY

(1961)

Appropriations, 1380

For armory at Whitmire, 1377

Borrow money, 1379

For hospital purposes, 1378

Probate judge, references to not required, 161

Prosperity, Town of, election of recorder, 262

References, certain, validated, 161

NEWBERRY COUNTY—Cont'd
Rural fire control, board of, created, 487
Taxes, 1380

NEW ELLENTON, TOWN OF
(1961)
Annual tax levy, 487

NEWSPAPERS
(1961)
York County, legal advertisement costs, 263

NINETY SIX, TOWN OF
(1961)
To receive one half of certain circuit court fines, 593

NONALCOHOLIC DRINKS
Soft Drinks (this index)

NONRESIDENT
(1961)
Contractors, typographical error in law relating to withholding taxes corrected, 51
Hunting licenses, fees, 439
Sale of business license stamps to nonresident merchants or manufacturers for individual use, 101
Service of process on, in annulment and parental rights proceedings, 429

NORTH CAROLINA
(1961)
South Carolina Wildlife Resources Department, reciprocal agreement with authorized for hunting fox, conditions, 722

NORTH, TOWN OF
(1961)
To be governed by mayor and councilmen, 171

NOTARIES PUBLIC
(1961)
Oath of office, dueling provision deleted, 510

NOTES
Bonds or Notes (this index)

NOTICES
(1961)
Of appeals from magistrates' and municipal courts, 7
York County, legal advertising costs, 263

NUCLEAR ENERGY
(1961)
Southern Interstate Nuclear Compact, adopted, 570

NURSING, BOARD OF
(1961)
Rules and regulations, 1651

OAKLEY PARK RED SHIRT SHRINE
(1961)
Contribution for, 386

OATHS
(1961)
As to dueling eliminated, 49
Laws relating to taking of certain, by commissioned officers of armed forces, repealed, 102
Notaries public, dueling provision eliminated, 510
Of circuit judges, may be administered by President of Senate or Speaker of House of Representatives, 275
Renunciation of dower, 415

OCEAN
(1961)
Criminal jurisdiction of municipalities over portions of waters, 657

OCEAN DRIVE BEACH, TOWN OF
(1961)
Bond issue validated, 1221
May abandon streets, 1233
May dispose of certain property, 1223

OCONEE COUNTY
(1961)
Appropriations, 1387
Creation of East Seneca Water District validated, 1386
Rural Fire Control, Board of, 483
Soil conservation district, may exercise powers of eminent domain, 181, 586
School district of Oconee County, election of trustees and other matters, 650
Superintendent of education, election of, powers, duties, term, 650
Taxes, 1387

OFFICERS
Public Officers and Employees (this index)

OLD AGE AND SURVIVORS INSURANCE
Social Security (this index)

OPPORTUNITY SCHOOL

(1961)

Appropriations for, 319
Requisition appropriations, for pay-rolls and other expenses, 392
Revenues to be remitted to State Treasurer, 391
Tuition fees to be remitted to State Treasurer, 392

ORANGEBURG COUNTY

(1961)

Appropriations, 1402, 1404
Bowman, Town of, to be governed by mayor and four aldermen, 67
Building reports required, 92
Compensation of jurors, 1415
Court, civil jurisdiction enlarged, 414
Delinquent tax collector, 591
Highway commission to convey property to
Historical society, 1403
Mamie B. Smoak, 1400
United States Government, 1401
Holly Hill School District 3 may borrow, 1399
Magistrates' terms, 3
North, Town of, to be governed by mayor and councilmen, 171
Taxes, 1404

ORANGE INVESTMENT COMPANY, INC.

(1961)

Restoration of charter, 731

OVER-AGE

(1961)

Continued employment of author-ized regardless of age
Banov, Dr. Leon, by State Board of Health, 911
Benét, Dr. George, by State Hospital, 330
Callison, Dr. H. Grady, by State Board of Health, 342
Fishburne, Dr. W. K., by State Board of Health, 342
Hartzog, Dr. L. A., by State Board of Health, 342
Johnson, Mrs. D. B., by Winthrop College, 310
Public Service Authority, present general manager, 342
Stukes, Dr. L. C., by State Board of Health, 342
Whitten Village, present super-intendent of, 330

OYSTERS

Fish and Game (this index)

PARENTAL RIGHTS

(1961)

Service on nonresidents or persons out of state in proceedings to determine, 429
Termination of, in regard to voluntarily abandoned children, 607

PARKS AND PLAYGROUNDS

(1961)

Charleston County, St. Andrew's Parks and Playgrounds Commission, territorial jurisdiction redefined, 239

PARTNERSHIPS

(1961)

Limited, fees for recording agreements, 621

PATRICK, TOWN OF

(1961)

Terms of mayor and councilmen, 570

PAWLEY'S ISLAND

(1961)

Civic association, referendum on adoption of commission form of government, 1090

PEACHES

Agriculture (this index)

PEDDLERS

(1961)

Fairfield County, licenses, 1072

PENALTIES

(1961)

Certain, relating to laws no longer in effect, repealed, 100

PENITENTIARY

See also **Corrections**, Department of (this index)

(1961)

Appropriations for, 333
Lagoon construction in Broad River section, 540
Sewer line construction in State Park area of Richland County, 540

Furnish transportation and suit of clothes to discharged prisoners, 333

Prison made goods, use of, money from sale of to pay debt to Sinking Fund and Property Division, 542

PERMITS

Licenses and License Taxes (this index)

PERPETUITIES

(1961)

Rule against, not to apply to business trusts, 538

PETITIONS

(1961)

Candidates nominated by, time for filing extended, 548

PHEASANTS

Fish and Game (this index)

PHYSICALLY HANDICAPPED

(1961)

Definition of enlarged; self care rehabilitation services for; custodial care of, 256

Governor's committee on employment of, essay contest winner to receive scholarship, 91

PICKENS COUNTY

(1961)

Appropriations, 1420

Central, Town of, furnishing water and sewage service, 447

Courthouse and public buildings, care and maintenance, 705

Courts, general sessions, when jurors to attend, 276

Easley, City of

Complaints by employees of police and fire departments to civil service commission, 109

May contract to furnish water and sewage service, 107

Highway Department to construct road in, 1432

Liberty, Town of, electric, water and sewage service, 689

Oolenoy Watershed Conservation District may be formed, 1433

Referendum concerning retention of superintendent of education, 1431

School District A.

Bonded indebtedness may be increased, 118

Borrow, 1419

Issue bonds, 1416

Soil conservation district, authorized to exercise eminent domain, 447

Taxes, 1420

PIERS

(1961)

Jurisdiction of municipalities over, 657

PINELAND TRAINING SCHOOL

(1961)

Appropriation for, 330

PLANNING AND DEVELOPMENT

(1961)

Appeals of decisions of, to Supreme Court, 7

Commissions and boards

Colleton County, 103, 710, 989

Jasper County, 26

Marion County, membership increased, 629

Richland and Lexington Counties, joint board, 599

POET LAUREATE

(1961)

Appropriations for, 384

POLICE

(1961)

Easley, City of, complaints by, to civil service commission, 109

Kershaw County, law enforcement board and rural police abolished, 31

Rural, Lee County system abolished, 23

PORK

(1961)

Barrels of, provisions repealed, 425

PORTS

(1961)

State Ports Authority, issue bonds for grain facilities, issuance deadline, payment of, 401

POSTAGE

(1961)

For members of General Assembly, 272

POST MORTEMS

Autopsies (this index)

POULTRY

(1961)

Name of "Livestock Sanitary Department" changed to "Livestock and Poultry Health Department," 441

POWERS OF ATTORNEY

(1961)

Renunciation of dower by attorney in fact, 428

PRAWN

Fish and Game (this index)

PRESIDENTIAL ELECTORS

(1961)

Provisions relating to altered to comply with federal statutes, 246

PRISONS AND PRISONERS

See also **Corrections, Department of**
(this index)

(1961)

Chain Gang

Greenwood County, use of labor in, may aid eleemosynary institutions, 696

Spartanburg County, supervisor to determine number, use on county farm and home, repealed, 701

Lancaster County, jail cost of prisoners deducted before fines divided between county and municipalities thereof, 103

PROBATE COURTS AND JUDGES

(1961)

Claims against estates not filed with within certain time barred, 172

Dorchester County, referrals not to be made to, 19

Fees

Charleston County, 235

Greenwood County, 693

Horry County, 185

Lee County, 1320

Fiduciaries, certain, discharge of, 252

Florence County, deputy, 93

Lee County, when probate judge may act as master, 115

Newberry County, references to probate judge in not required, 161

Service of processes issued by, by sheriff, 45

To receive advance sheets, 173

PROBATION, PAROLE AND PARDON BOARD

(1961)

Appropriations for, 332

PROCESSING

Manufacture and Manufacturing
(this index)

PROCESS, SERVICE OF

(1961)

By sheriffs, 45

On nonresidents or persons not in State, in annulment or parental rights proceedings, 429

PROPERTY

(1961)

Deeds to, recording of in Spartanburg County, affidavits, 595

PROPERTY—Cont'd

Dower, renunciation of, under power of attorney, 428

McCormick County board created, 75

Public shelters, liability of persons furnishing for, 255

Real

Abbeville County, purchase of by, for armory enlargement, 260

Adjutant General

To convey property to Beaufort County, 868

To reconvey to J. P. Stevens and Co., 752

Anderson County, numbering of lots in, 97

Barnwell County convey to Wildlife Resources Department, 833

Beaufort County, convey property to State for National Guard purposes, 867

Budget and Control Board may sell property situated in Aiken and Edgefield Counties, 752

Business trusts may deal in, 538

Camp Harry Daniels may be transferred to state, 751

Colleton County development board may lease, 989

Fairfield County, Mt. Zion Elementary School building may be transferred to, 1061

Foreign insurance companies lending money only, secured by mortgages on, exempt from laws relative to foreign corporations, 535

Greenville County, land transferred from Gantt Water and Sewer District to Parker Water and Sewer Subdistrict, 1099

Horry County, Town of Ocean Drive Beach may dispose of, 1223

Orangeburg County Highway

Commission convey to

Historical Society, 1403

Mamie B. Smoak, 1400

United States Government 1401

Renunciation of dower, 415

Richland County

Building permits for improvements to, building inspector, 716

May purchase, 1452

May sell, 1450, 1451, 1458

PROPERTY—Cont'd

Real—Cont'd

- Spartanburg County, addition of to water and sewer districts, 701
- Tax sales of, delinquent lands under drainage district law, 44
- Taxation of real estate investment trusts, 624
- Union County Board of Education, convey to Town of Carlisle, 1558
- United States, purchases of by for arsenals and magazines, repealed, 421
- York County
 - Clover School District 2 may buy or sell, 1586
 - May sell to Educational Finance Commission, 1587
- Reassessment program, Charleston County, 907
- Vacant lots, cleaning of
 - Barnwell, City of, 669
 - Cherry Grove Beach, Town of, 414
 - Crescent Beach, Town of, 67
 - Loris, Town of, 594

PROSECUTORS

(1961)

- Discharge of certain on own recognizances, 39

PROSPERITY, TOWN OF

(1961)

- Recorder, election of, 262

PUBLIC OFFICERS AND EMPLOYEES

See also **Over-Age** (this index)

See also **South Carolina Retirement System** (this index)

(1961)

- Appointment of certain officers and employees of the General Assembly, 270
- Clerks and sergeants at arms of General Assembly, 270
- Compensation of journal and bill clerks, repealed, 272
- Effective date of retroactive agreements relative to retirement and social security, 27, 28
- Employees under control of sergeants at arms, repealed, 272
- Military leave for Coast Guard and Air Force Reserve members, 104
- Paid monthly or biweekly, 393
- Subsistence for, 395
- Travel allowance, 396

PUBLIC OFFICERS AND EMPLOYEES—Cont'd

- Renunciation of dower, certificate and seal of officer, 415
- Retirement allowance, minimum for certain State employees, 403, 544
- Succession to public offices in event of enemy attack, constitutional amendment ratified to allow, 664

PUBLIC SERVICE AUTHORITY, SOUTH CAROLINA

(1961)

- General manager of may be retained regardless of age, 342

PUBLIC SERVICE COMMISSION, STATE

(1961)

- Appropriations for, including administration, motor transport division, and utilities division, 376
- Assistant attorney general for, 305

PUBLIC SERVICE DISTRICTS AND COMMISSIONS

(1961)

- Beaufort County, Forest Beach created on Hilton Head Island, 857
- Charleston County
 - St. Andrew's Area, 917
 - Ashley Garbage Disposal District transfer assets to, 932
 - Members, 929
 - James Island, created, 917
 - Ashley Fire Protection District transfer assets to, 931
 - Ashley Garbage Disposal District transfer assets to, 932
- Greenwood County, created
 - Chinquapin Road, 1201
 - Southeast Greenwood, 1191
- Lexington and Richland Counties, election concerning creation of a public service district, 1343
- Richland County, Jackson-Gills Creek, 1447

PUBLIC SHELTERS

(1961)

- Persons furnishing, liability of, 255

PUBLIC UTILITIES

(1961)

- Loans from United States for, obsolete provision deleted, 549

PUBLIC WELFARE

(1961)

State Department of
Appropriations for, 328
To receive portion of county
income tax allocation to be
used for medical and hospital
services for certain persons,
663

PUBLIC WORKS

(1961)

Commissioners of, abolished, Blacks-
burg, Town of, 626

PURCHASING

(1961)

Greenville County, provisions re-
pealed, 707
Greenwood County, 694
Spartanburg County, 676

QUAIL

Fish and Game (this index)

RABBITS

Fish and Game (this index)

RAILROADS

(1961)

Bridges, passage of vessels under,
provisions repealed, 426
Charging or collecting extra com-
pensation from passengers for
crossing bridges, 424
Diesel and other type engines, re-
ference added to law relating to
obstruction of railroads, 496
Lighting of cars with certain ma-
terials, prohibition repealed, 464
Operation on Sundays, code section
suspending certain laws during
World War II, repealed, 464
Publication of lists of persons in
business not incorporated in this
State, 424
Semimonthly payment of shop em-
ployees, requirements repealed,
424
Stoves, securing of, requirement re-
pealed, 464

REAL ESTATE

Property (this index)

RECEIVERS

(1961)

Appeals to Supreme Court from or-
ders relating to, 12

RECIPROCAL AGREEMENTS

(1961)

With State of Georgia
Concerning Hartwell Reser-
voir, 471
Fishing in Savannah River, 408
With State of North Carolina au-
thorized for hunting fox, 722

RECORDATION

(1961)

Deeds, Spartanburg County, affi-
davits, 595

RECORDERS

(1961)

Charleston, City of, who may hold
court in absence of, 236
Ministerial, Rock Hill, office of in,
created, 158
Myrtle Beach, City of, may sus-
pend sentences and place on pro-
bation, 483
Prosperity, Town of, Newberry
County may elect, 262

RECORDS

(1961)

Charleston County, microphoto-
graphing of certain, 656

RECREATION

See also **Amusements and Athletic
Contests** (this index)

See also **Parks and Playgrounds**
(this index)

(1961)

Kershaw County, colored people,
provided for, 134
Richland County, Rural Recreation-
al Commission, supervisor to be
ex officio member, 1

REEDUL INVESTMENT, INC.

(1961)

Restoration of charter, 732

REGIONAL EDUCATION BOARD

(1961)

Appropriation for, 384

REGISTER OF MESNE CONVEYANCE

See also **Clerks of Court** (this in-
dex)

(1961)

Spartanburg County, recordation of
deeds, affidavits, 595

REPORTS

- (1961)
- By sanitation and drainage commissions to General Assembly, no longer required, 47
- By State Crop Pest Commission, 261
- Orangeburg County, building reports on certain building activities, 92

RESCUE SQUADS

- (1961)
- Horry County, created at Conway, Myrtle Beach, Loris, Crescent Beach, and Garden City, 675
- Mullins, 52

RESEARCH

- Planning and Development (this index)

RESEARCH PROGRAM

- (1961)
- Appropriation for, 1874

RETIREMENT SYSTEMS AND PENSIONS

- South Carolina Retirement System (this index)
- (1961)
- Fraudulent mixtures of, provisions repealed, 425

RICHLAND COUNTY

- (1961)
- Appropriations, 1461
- Auditor, transfer or destruction of certain tax duplicates, 37
- Building permits and inspector, 716
- Center Township redefined, 1453
- Columbia Township Auditorium
 - Borrow money, 1460
 - Trustees, 1453
- Children's court, typographical error corrected, 45
- Construction of bridge across
 - Broad River between Richland and Fairfield Counties, repealed, 606
 - Congaree River between Richland and Lexington Counties, repealed, 607
- Eau Claire, Town of, sale of water by, repealed, 508
- Election concerning creation of a public service district, 1343
- Fire fighting units, 4
- Issue bonds or notes, 1459
 - Columbia Hospital, 1448
 - School District 1, 1455
 - School District 2, 1443, 1444
 - School District 5, 1493
 - Township Auditorium, 1460

RICHLAND COUNTY—Cont'd

- Jackson-Gills Creek Public Service District, 1447
- Joint planning commission with Lexington County, 599
- March term of court of common pleas, jury matters may be disposed of, 501
- May purchase property, 1452
- May sell property
 - Health Center, 1450
 - Near Veterans Hospital, 1451, 1458
- Richland-Lexington Airport District, 53
 - To contract with Lexington County and the City of Columbia to share equally in deficit financing of Richland-Lexington Airport, 119
- Rural Recreational Commission, supervisor to be ex officio member, 1
- Taxes, 1461

RIDGEWAY, TOWN OF

- (1961)
- Terms of mayor and wardens, 90

RIGHTS OF WAY

- (1961)
- Greenville County, widths may be reduced, 502

RIVERS

- See particular river (this index)

ROADS

- Highways and Streets (this index)

ROCK HILL

- (1961)
- Recorder, ministerial, office of created, 158

ROCKY BOTTOM CAMP

- (1961)
- Appropriation for, 384

ROSE HILL PLANTATION

- (1961)
- Appropriations for, 541

RULES AND REGULATIONS

- (1961)
- Aeronautics Commission, parachute jumping, registration of aircraft, 1606
- Architectural Examiners, Board of, 1608
- Bank Control, Board of, 1608
- Barber Examiners, Board of, 1613
- Budget and Control Board, 1618

RULES AND REGULATIONS—

Cont'd

Charleston County Council, 1618
Chiropractic Examiners, Board of, 1618

Clemson Agricultural College
Fertilizer control, 1619

Livestock Sanitary Department
General, 1619

Importation of certain animals, health certificates, 1621

Seed certification, 1618

Dairy Commission, 1626

Health, State Board of, Sewage stabilization ponds, communicable diseases, control of anthrax, 1627

Insurance Commissioner

Additional extended coverage endorsement, 1630

Advertisements, 1647

Annual and short term automobile policies, 1629, 1650

Annual renewal plan, 1630

Certain loans secured by first mortgage on leasehold estates, 1645

Claims, adjustment of, 1640

Credit insurance, 1631

Definitions, 1634

Dividends on expired policies, 1630

Foreign insurance companies, admission into State, 1630

Forms, rates and rate deviations filing procedures, 1631

Investments, 1641

Licensing agents, brokers and adjusters, 1646, 1647

Life insurance policies, participation in funds created by, 1630

Liquefied petroleum gas, 1648

Multiple line underwriting, 1631

Reciprocal agreements, 1640

Revocation of regulations, 1648

Similarity of names of companies, 1650

Term insurance rule, 1640

Term of automobile liability policies, 1640

Windstorm and hail \$50.00 deductible clause, 1640

Nursing, Board of, 1651

Supreme Court, examination and admission of persons to practice law, 1605

Tax Commission

Alcoholic beverages, 1654

Beer and wine, 1653, 1654

Business license stamps, 1653

Soft drinks, 1652

SAFETY RESPONSIBILITY LAW

Motor Vehicles (this index)

ST. ANDREW'S PARISH PARKS AND PLAYGROUND COMMISSION

(1961)

Territorial jurisdiction redefined, 239

SALES AND USE TAX

Taxation (this index)

SALUDA COUNTY

(1961)

Appropriations, 1495

Clerk of court fees, 1501

Magistrates, terms of, 71

Schools

District No. 1, tax levy only after referendum, 120

Trustees, terms extended, elections of, 699

Taxes, 1495

Term of tax collector, 261

SANITORIUMS

Hospitals (this index)

SAVANNAH RIVER

(1961)

Fishing in, reciprocal agreement with State of Georgia, 408

SAVINGS AND LOAN ASSOCIATIONS

(1961)

Credit unions may borrow from and invest capital and surplus in, 674

SCHOLARSHIPS

(1961)

Regional Education Board, 384

Winner of essay contest sponsored by Employment of Physically Handicapped to receive, 91

SCHOOLBOOK COMMISSION

(1961)

Appropriations for, 323

Textbooks, repair of, 324

SCHOOL BUSES

(1961)

Appropriations for operating expenses of, 320

Drivers

Certificates of merit, 322

Pay of, 322

Purchase of, 320

Service trucks, 322

Sale of, 321

**SCHOOL COMMITTEE,
SOUTH CAROLINA
(1961)**

Appropriations for, 384

**SCHOOL FUND, SPECIAL
(1961)**

Payments from, 289

Revenue from general retail sales
tax and alcoholic liquors tax to
go to, 289

**SCHOOLS AND SCHOOL
DISTRICTS**

(1961)

Adult, appropriations for, 316

Anderson County, School District
2, bond issue election validated,
805

Appropriation for State Superinten-
dent of Education for teachers'
salaries, 315

Attendance supervisors, formerly
designated visiting teachers, 617

Beaufort County

Board of education, members of,
154

Committee for technical train-
ing, 627

Boards of education

Dillon County, no member to
be recommended as superin-
tendent of education, 660

Jasper County

May pay outstanding judg-
ment, 94

Members, appointments,
terms, 710

Bond issues

Charleston County

School District 20, 901

School District 10, 925

Dorchester County

School District 1, 1038

School District 2, 1041

Florence County, Timmons ville

School District 4, 1073

Georgetown County, 1091

Pickens County, School District
A, 1416, 1419

Richland County

School District 1, 1455

School District 2, 1443, 1444

School District 5, 1493

Borrow

Cherokee County, for high
schools at Blacksburg and
Gaffney, 933

Chesterfield County, School
District 2, 961

Dillon County, School District
2, 1009

Fairfield County, 1059

**SCHOOLS AND SCHOOL
DISTRICTS—Cont'd**

Borrow—Cont'd

Florence County, School Dis-
trict 4, 1077

Hampton County, School Dis-
trict 2, 1209

Lancaster County, 1279

Orangeburg County, Holly Hill
School District 3, 1399

Pickens County, School District
A, 1416, 1419

Richland County

School District 1, 1455

School District 2, 1443,
1444

School District 5, 1493

Darlington County

Appropriations for, 1001

School District of, borrow-
ing by, 1002

Fairfield County, Mt. Zion Ele-
mentary School building may
be transferred to, 1061

Florence County, appropriations
for, 1075

Buses

Appropriations for operating
expenses, 320

Drivers

Certificates of merit, 32

Pay of, 322

Purchases, 320

Shop construction and equip-
ment, 320

Denmark Area Trade School, ap-
propriation for, 544

Districts

Bamberg County, proration of
cash between, applications for
building project funds, 66

Chester County

Certain charitable corpora-
tions and societies ex-
empted from school taxes,
712

Pledges for repayment of
short term notes, 711

Colleton County, school district
of, established, 122

Florence County, School Dis-
trict 5, constitutional amend-
ment proposed to increase
bonded debt of, 720

Greenville County

Board of commissioners to
act as advisory board to
district, 520, 599

School District No. 520,
Boiling Springs included
in election area II, 95

Oconee County, election of tru-
stees, powers and duties, 650

SCHOOLS AND SCHOOL DISTRICTS—Cont'd

Districts—Cont'd

- Pickens County, District A, bonded indebtedness may be increased, 118
- Saluda County, No. 1, tax levy only after referendum, 120
- Williamsburg County, the school district of, limitation on bonded indebtedness increased, 18
- Dorchester County, annual audits of schools in, 250
- Educational Finance Commission, advances by, 481
- Fairfield County, tax levy for increased if referendum favorable, 131
- Greenville County, supervisor may surface treat driveways and walkways of, repealed, 630
- Higher Education Commission, Aiken County, 105, 768
- Horry County
 - Board of education, acts and instruments of, validated, 1234
 - May issue bonds for industrial training school, 1235
 - Referendum concerning teachers' salaries, 1234
- Institutions of higher learning, athletic contests no longer exempt from admissions taxes, 466
- Lunch program
 - Appropriations for, 312, 315, 317
 - No child to be denied lunch due to inability to pay, 318
- Marlboro County
 - Board of education and administrative area trustees, terms, vacancies appointments, 702
 - Budget to be submitted to General Assembly, tax levy, 566
- Oconee County, election of superintendent of education, powers, duties, term, 650
- Pickens County, referendum concerning retention of superintendent of education, 1431
- Spartanburg County
 - Committee for technical training, 657
 - Greer District 9H, tax levy, 1544
- State school bonds, aggregate indebtedness, maturity dates, 480
- Sumter County, District 17 may use surplus funds, 1546
- Teachers
 - Employment of when related to trustees, 183

SCHOOLS AND SCHOOL DISTRICTS—Cont'd

Teachers—Cont'd

- Visiting, now designated attendance supervisors, 617
- Technical training committee created, 543
- Trustees
 - Appeals from decisions removing, 416
 - Dillon County centralized districts to have five, 582
 - Election of, Abbeville County, 99
 - Fairfield County school district increased, 492
 - Oconee County, election, powers and duties, 650
 - Saluda County, terms extended, election of, 699
- Union County
 - Tax millage for education, 448
 - Voting precincts for election of school officials, 87
- York County
 - Clover District 2 may buy or sell property, 1586
 - May sell property to Educational Finance Commission, 1587

SCHOOL TV COMMITTEE

(1961)

- Appropriations for, 384

SEALS

(1961)

- Required of officers before whom renunciation of dower made, 415

SEAMEN

(1961)

- Harboring of, for over one hour, repealed, 497
- Lodged in jail, masters of vessels to post bond, 509
- Procurers of, burden of proof when indicted for boarding ship without permission, repealed, 509

SEA OATS

(1961)

- Destruction of prohibited, 427

SECRETARY OF STATE

See also **Charters** (this index)

(1961)

- Appropriations for, 300
- Authorized to restore charters of
 - Garner Construction Co., 730
 - Grand Strand Broadcasting Corp., 730
 - Greentop Farms, Inc., 729

SECRETARY OF STATE—

Cont'd

Authorized to restore charters of—

Cont'd

Orange Investment Co., Inc.,
731

Reedul Investment, Inc., 732

Swan Corporation, 729

T and C Motor Court, 728

Business trusts, instruments creat-
ing, to be recorded with, 537

Fees paid to, 621

To make acts available for proof
reading, 296

SECURITIES

(1961)

Gifts of to minors, 554

Securities Act, 185

SEINES

Fish and Game (this index)

SELF CARE REHABILITA- TION SERVICES

(1961)

Physically handicapped, for, 256

SENATE

(1961)

Appointment of certain officers and
employees, 270

Appropriations for, 289, 539

Chaplain for, election day of, 254

Clerk of, provision for certain cer-
tificates furnished by, repealed,
253

Clerks and sergeants at arms, extra
session per diem and mileage pro-
visions, repealed, 270

Clerk's office

Appropriations for, 293

Operation of between sessions,
294

Compensation of journal and bill
clerks, repealed, 272

Employees under control of sergeant
at arms, repealed, 272

Hall of to be kept open between
sessions, 295

Postage and stationery, 272

President may administer oaths of
circuit judges, 275

Sergeant at arms, duties, 270

SENATE JOURNAL INDEX

(1961)

Prepared by clerk at cost not to
exceed \$300.00, 294

SERGEANT AT ARMS

(1961)

Employees under control of, re-
pealed, 272

SERGEANT AT ARMS—Cont'd

Of both houses, extra session per
diem and mileage, provisions re-
pealed, 270

Of Senate, duties, 270

SERVICEMEN

Armed Services (this index)

SEWERAGE

(1961)

Aiken County, Langley Water and
Sewer District may borrow
money, 767

Central, Town of, Pickens County,
furnishing of service, 447

Chesterfield County, operate system
of Windsor Park Subdivision, 972

Easley, City of, may contract to
furnish sewage service, 107

Elections before bond issues for,
provisions clarified, 511

Greenville County

Gantt Water and Sewer District
Contracts for collection
and disposal of garbage,
1108

May be added to Commis-
sion of Sanitation of
Greater Greenville Sewer
District, 1107

May issue bonds, 1117

Land transferred from Gantt
Water and Sewer District to
Parker Water and Sewer
Subdistrict, 1099

Paris Mountain Water and
Sewer District created, 1120

Water and sewer districts may
employ attorneys, 1135

Greenwood Metropolitan District,
sewer service charges, 1173

Lancaster County Water and Sewer
District, contracts for service,
1278

Liberty, Town of, Pickens County,
furnishing of service, 689

Myrtle Beach, City of

Bond issues without petition for
sewage disposal, 69

Election without petition on
bonds for disposal systems,
constitutional amendment rat-
ified, 23

Stabilization ponds, rules and regu-
lations, 1627

Water and sewer districts, Spartan-
burg County, additions to, 701

SHAD

Fish and Game (this index)

SHERIFF

- (1961)
- Deputy, not to be furnished horses, 497
- Fees, how collected, 45
- Judicial sales, when held, 616
- Service of processes by, issued by probate judges, 45
- Spartanburg County, use of confiscated motor vehicles by, 709

SHINGLES

- (1961)
- Specifications, repealed, 512

SHOOTING PRESERVES

- Fish and Game (this index)

SHRIMP

- Fish and Game (this index)

SHUCKING PLANTS

- Fish and Game (this index)

SINKING FUNDS AND PROPERTY

- (1961)
- Appropriations for, 336

SLAUGHTERHOUSES

- (1961)
- Certain, agency regulating inspections, name changed, 434

SMALL LOAN COMPANIES

- (1961)
- Committee to investigate, time for reporting extended, 726

SOCIAL SECURITY

- (1961)
- Effective date of retroactive agreements
 - Relative to retirement system, 27
 - Relative to State and subdivisions, 28

SOFT DRINKS

- See also **Taxation** (this index)
- (1961)
- Changes in tax exemptions laws, 467

SOIL CONSERVATION

- (1961)
- Districts, exercise of eminent domain by
 - Greenville County, 506
 - Oconee County, 181, 586
 - Pickens County, 447
- Sea oats, destruction of prohibited, 427
- State Soil Conservation Committee, appropriations for, 365

SOLICITORS

- (1961)
- Circuit courts, appropriations for, 303
- Or coroners may order autopsies or post mortems, 278
- To prosecute for violation of laws relating to dentistry, repealed, 423

SOUTH CAROLINA AERONAUTICS COMMISSION

- See also **Aeronautics** (this index)
- (1961)
- Appropriations for, 378

SOUTH CAROLINA ALCOHOLIC CENTER

- (1961)
- Appropriations for, 383
- Transfer of certain funds from operation to construction, 542

SOUTH CAROLINA CONFEDERATE WAR CENTENNIAL COMMISSION

- (1961)
- Appropriations for, 384

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

- (1961)
- Appropriations for, 299, 540
- Revenues from alcoholic liquors to be used for, 355

SOUTH CAROLINA LIBRARY BOARD

- (1961)
- Appropriations for, 322
- County libraries may enter into contracts with
 - Aiken County, 785
 - Barnwell County, 843
 - Cherokee County, 655
 - Spartanburg County, 690

SOUTH CAROLINA RETIREMENT SYSTEM

- (1961)
- Appropriations for, 340
- Certain sums contributed by State to comply with Retirement Act, 341
- Effective date of modifications of agreements, 27, 28
- Rules and regulations concerning records of members, 1618

SOUTH CAROLINA SANATORIUM

- (1961)
- Appropriations for maintenance and for county sanatoria (Charleston,

SOUTH CAROLINA

SANATORIUM—Cont'd

Richland, Florence, Darlington, Greenville and Spartanburg Counties), 330

SOUTH CAROLINA SCHOOL-BOOK COMMISSION

Schoolbook Commission (this index)

SOUTH CAROLINA SCHOOL COMMITTEE

(1961)

Appropriations for, 384

SOUTH CAROLINA STATE COLLEGE

(1961)

Appropriations for, 311

Free tuition, repealed, 417

Law and medical graduate departments, authorized, 311

Money derived from athletic contests not to be considered State funds, 392

Requisition appropriations for payrolls and other expenses, 392

Residence on grounds, president may occupy, 393

Revenues or income to be remitted to State Treasurer, 391

Tuition

Fees to be remitted to State Treasurer, 392

For 1961-1962 to be not less than 1960-1961, 391

SPANISH WAR VETERANS

(1961)

Contribution for, 385

SPARTANBURG, CITY OF

(1961)

Greenville-Spartanburg Airport

District, bond issue, 264

SPARTANBURG COUNTY

(1961)

Appropriations, 1514

Auditor to cease taxing Masonic Lodges, 1507

Board of control, 676

Building permits, 700

Central Pacolet, Town of, election of mayor and councilmen, 17

Chain gangs, supervisor to determine number, repealed, 701

Charity investigator, employment of, 1544

Charity patients, admission to hospital, 1544

SPARTANBURG COUNTY—

Cont'd

Compensation of jurors and court employees, 1539

Coroner's jury to consist of six men, 698

County farm home, operation and use, 701

Croft Fire District, area of further specified, 250

Detention home for children abolished, 697

Expenditures validated, 1513

Fees of sheriff and magistrates to be paid in advance in civil actions, 676

Greer School District 9H, tax levy, 1544

Greenville-Spartanburg Airport

District, bond issue, 264

Library Board, may enter into contracts with other library boards, 690

Magistrates, number and jurisdiction, 503

Officers, salaries in lieu of fees, 676

Purchasing by, 676

Recordation of deeds, affidavit, 595

Spartanburg Metropolitan Sub-district B, filing fee of candidates, 1505

Supervisor, 676

Authority over certain roads and authority to cut timber, repealed, 701

Taxes, 1514

Township road tax, repealed, 701

Technical training, committee for, 657

Treasurer no longer required to file quarterly reports with supervisor, 1543

Use of certain confiscated motor vehicles by sheriff, 709

Water and sewer districts, addition of property to, 701

Water districts

Cowpens, area removed from, 1504

Startex-Jackson-Wellford-Duncan, referendum concerning bond issue, 1509

Woodruff-Roeback, terms of commissioners, 1508

SPECIAL SCHOOL FUND

(1961)

Payments from, 289

Revenue from general retail sales tax and alcoholic liquors tax to go to, 289

SPECIAL SERVICES FOR BOTH HOUSES

(1961)
Appropriations for, 292

SPEECH THERAPY PROGRAM

(1961)
Appropriations for, 315

SPURS

Highways and Streets (this index)

SQUIRRELS

Fish and Game (this index)

STABLES

(1961)
Horses, liens on, conditions, 135

STATE AGENCIES, DEPARTMENTS AND INSTITUTIONS

(1961)
Bond issues, State institutions, 476
Council of Defense, repealed, 422

STATE AUDITOR

(1961)
Appropriation for, 335

STATE BOARD OF HEALTH

Health and Sanitation (this index)

STATE BUDGET AND CONTROL BOARD

Budget and Control Board (this index)

STATE BUILDINGS AND GROUNDS

(1961)
Appropriations for, 337

STATE COLLEGE

South Carolina State College (this index)

STATE CROP PEST COMMISSION

(1961)
Fees for registering economic poisons with, 279
Reports to General Assembly, 261

STATE EMPLOYEES AND EMPLOYEES OF POLITICAL SUBDIVISIONS

Over-Age (this index)
Public Officers and Employees (this index)

STATE HOSPITAL

(1961)
Additional facilities for authorized, 736

STATE HOSPITAL—Cont'd

Appropriations for, 330
Construction of thoroughfare through property of, repeal, 621
Doctor George Benet, services of continued regardless of age, 330
Funds, transfer to Pineland Training School, authorized, 330
Recommendation by Charleston County Board of Health for commitment of mentally ill to, 11

STATE HOUSE

(1961)
Committee on completion of to continue work, 295

STATE INSTITUTIONS

State Agencies, Departments and Institutions (this index)

STATE LIBRARY

(1961)
Appropriations for, 326

STATE PARKS

Parks and Playgrounds (this index)

STATE SERVICE BUREAU

(1961)
Appropriations for, 359
Operation of county offices, 360
Veterans Administration personnel, 360

STATE TREASURER

(1961)
Appropriations for, 305
Bonded debt, payment of, 306
General State revenues from taxation, licensed, fees, etc., remitted to, 288
Highway Department to pay share of administrative cost of, 388
Income tax, to remit portion to counties, 308
Moneys appropriated spent only on warrant to Comptroller General, 391
Money derived from athletic contests not to be considered State funds, 392
Report on State revenue made to, 289
Tuition fees from State institutions to be remitted to, 392

STATIONERY

(1961)
For General Assembly, 272

STATUTES

(1961)

Application of, when municipalities population increased by annexation, 427

STAVES

(1961)

Specifications, repealed, 512

STOCK

Animals (this index)

Securities (this index)

STUKES, DR. L. C.

(1961)

Continued employment of authorized regardless of age, 342

STURGEON

Fish and Game (this index)

SUBSISTENCE

(1961)

For legislators, 395

For State employees, 395

SUMTER COUNTY

(1961)

Appropriations, 1546

Chattel mortgages, certain may be destroyed, 698

Lynchburg-Shiloh Watershed Conservation District, lands within Atkins Drainage District added to, 1545

School District 17 may use surplus funds, 1546

Taxes, 1546

Levy for Fire Control Board, 675

SUNDAYS

(1961)

Certain golf tournaments may be held on, 98

Code section suspending laws relating to railroad operations during World War II, repealed, 464

SUPERINTENDENT OF EDUCATION, STATE

(1961)

Appropriations for

Administration and finance, 312

Adult schools, 316

Area Trade Schools, 316

Catawba Indian School, 316

County superintendents of education, 315

Hard of hearing and speech therapy, 315

Instruction division, 314

SUPERINTENDENT OF EDUCATION, STATE—Cont'd

Appropriations for—Cont'd

Lunch programs, 312, 317

Superintendence, 312

Teacher education and certification, 313

Teachers' salaries, 315

Veterans' education, 315

Vocational education, 316

Ex officio member of technical training committee, 543

SUPERVISORS, COUNTY

(1961)

Dorchester, office created, powers and duties, 156

Greenville County

Quarterly statements, warrants showing fund from which money drawn, repealed, 707

Use of county machinery and prison labor, 630

Richland County, supervisor to be ex officio member of Rural Recreational Commission, 1

Spartanburg County

Authority over certain roads, to determine number of chain gangs, to furnish labor for county home and farm, repealed, 701

Duties, 676

York County, publication of quarterly reports, 183

SUPREME COURT OF SOUTH CAROLINA

Courts (this index)

SWAN CORPORATION

(1961)

Restoration of charter, 729

T & C MOTOR COURT

(1961)

Restoration of charter, 728

TAIL CANAL

(1961)

Seines, use of in, 151

TAXATION

See also **Income Taxes** (this index)

See also **Licenses and License Taxes** (this index)

(1961)

Abbeville County, deposit of tax moneys, 37

Adjustment, boards of, appeals to Supreme Court from decisions of, 8

TAXATION—Cont'd

Admissions taxes, athletic contests of institutions of higher learning no longer exempt from, 466

Alcoholic liquors tax

Portion of to counties, 386, 402

Portion of to municipalities, 386

State's portion of to special school fund, 289

Appeals, boards of

Lee County, appointment of and number of members, 85

Williamsburg County, established, 715

Assessments

Berkeley County, board of review for tax assessments, vacancies, membership increased, 107

Charleston County, board of assessors, appeals from, functions to complement functions of Tax Commission, 34

Bank tax

Portion of to counties, 386

Portion of to municipalities, 386

Beer and wine

Portion of to counties, 386, 402

Portion of to municipalities, 386

Collectors, Lancaster County, office created, 165

Dogs, capitation tax and property status, repealed, 418

Drainage districts, tax sales of delinquent lands, 44

Estate tax, new system enacted, former provisions repealed, 631

Exemptions

Barnwell County, 845, 847

Beaufort County, certain manufacturing or processing establishments, 17

Berkeley County, certain industries, extended to, 132

Charleston County, property of Crippled Children's Society, 708

Chester County, charitable corporations and societies, 712

Edgefield County, 1058

Fripp Island Toll Bridge Authority, property and income of, 245

Greenville County, Boys of America Home, 430

Hampton County, 1219, 1220

Spartanburg County, Masonic Lodges, 1507

Williamsburg County, Moose Lodge No. 1886, 585

Fairfield County, school levy increased if referendum favorable, 131

TAXATION—Cont'd

Gasoline taxes, portion of to counties, 386

Horry County, provisions on tax returns and lists of taxpayers, repealed, 10

Income taxes

"Adjusted gross income" defined, 228

Allowance deduction on charitable contributions increased, 405

Certain employees' trusts, excluded from definition of "adjusted gross income," 461

Portion of county allocation to be used by Department of Public Welfare for medical and hospital care of certain persons, 663

Portion of to counties, 386, 402

Reporting income by installment method, 226

Waiver or reduction of penalties, refunds, additional assessments and time limitation thereon, 465

Withholding, typographical error in provisions relating to nonresident contractors corrected, 51

Inheritance tax, repealed, 631

Insurance tax,

Portion of to counties, 386

Portion of to municipalities, 386

Laurens County, tax districts redefined, 490

Levy

Abbeville County, 755

Aiken County, 769

New Ellenton, Town of, 487

Allendale County, 787

Anderson County, 808

Bamberg County, 822

Barnwell County, 836

Beaufort County, 869

Bennettsville, Town of, for health and highway purposes, 585

Berkeley County, 883

Calhoun County, 894

Cherokee County, 935

Chester County, 950

Chesterfield County, 974

Clarendon County, 985

Colleton County, 990

Dillon County, 1011

Dorchester County, 1025

Edgefield County, 1052

Fairfield County, 1061

Florence County, 1075, 1080

Georgetown County, 1094

TAXATION—Cont'd

Levy—Cont'd

- Greenville County, 1136
 - For library, 431
- Greenwood County, 1176
- Hampton County, 1211
- Horry County, 1250
- Jasper County, 1252
- Kershaw County, 1261
- Lancaster County, 1281
- Lee County, 1320
- Lexington County, 1333
- McCormick County, 1347
- Marion County, 1355
- Marlboro County, 1368
- Newberry County, 1380
- Oconee County, 1387
- Orangeburg County, 1404
- Pickens County, 1420
- Richland County, 1461
- Saluda County, 1495
- Spartanburg County, 1514
 - Greer School District 9H, 1544
- Sumter County, 1546
 - Board of fire control, 675
- Union County, 1559
- Williamsburg County, 1577
- York County, 1588
 - Continued, 1585, 1586
- Licenses, reports and fees of corporations, 229
- Merchants' inventory and equipment tax, adjustment of, 721
- Motor vehicles, taxes, payable as condition to registration and licensing, 160
- Real estate investment trusts, 624
- Richland County, transfer or destruction of tax duplicates, 37
- Road tax
 - Barnwell County, 844
 - Dillon County, 1020
 - Hampton County, 1216
- Sales and use tax
 - Construction equipment, 406
 - Revenues derived from to go to special school fund, 289
- Saluda County School District 1, may levy taxes only after a referendum, 120
- Soft drinks taxes, changes in exemptions laws, 467
- Spartanburg County, township road tax, repealed, 701
- Tax collectors
 - Orangeburg County, 591
 - Saluda County, term of, 261
 - Spartanburg County, salary in lieu of fees, 687
- Union County, millage for education, 448

TAX COMMISSION

(1961)

- Appropriations for, including administrative division, inheritance tax division, property tax division, income tax division, license tax division, beer and wine and alcoholic liquors division, sales tax division, and general operating expenses, 352
 - Property tax manual, 541
- Assistant attorney general for, 304
- Charleston County Board of Assessors, functions complementary to, not in derogation of, 34
- Highway Department to pay share of administrative cost of, 388
- Merchants' inventory and equipment tax, adjustment of, by, 721
- Rules and regulations
 - Alcoholic liquors, 1653
 - Beer and wine, 1653, 1654
 - Business license stamps, 1653
 - Soft drinks, 1652
- Statistics, to publish annually, 173
- Waiver or reduction of penalties, refunds, additional assessments and time limitation thereon, 465

TAX STUDY COMMITTEE

(1961)

- Appropriation for, 384

TEACHERS

- Schools and School Districts (this index)

TECHNICAL TRAINING

(1961)

- Committee for created, membership, powers and duties, 543
 - Beaufort County, 627
 - Spartanburg County, 657
- Counties and areas, compliance by to qualify for technical and vocational training program assistance, 543

TELEPHONES

(1961)

- Obtaining service by fraudulent means, 569
- Use of prohibited for communication of indecent words, 451

THOROUGHFARES

- Highways and Streets (this index)

TIMMONSVILLE, TOWN OF

(1961)

- Mayor and councilmen, terms, 24

TOBACCO

Agriculture (this index)

TOWNSHIPS

(1961)

Dillon County, Huggins created, 583

Spartanburg County, road tax and supervisor's authority over roads, repealed, 701

TRAVELING SHOWS

Carnivals, Circuses and Traveling Shows (this index)

TRAWLING

Fish and Game (this index)

TREASURERS

See also State Treasurer (this index)

(1961)

Appropriations for

County, 302

State, 305

Greenville County, requirement to file certain statements with supervisor, repealed, 707

Hampton County, bond of treasurer and assistant, 449

Spartanburg County, quarterly reports, 676

TROUT

Fish and Game (this index)

TRUSTS AND TRUSTEES

(1961)

Business trusts, 537

Certain employees, excluded from definition of "adjusted gross income," 461

Taxation of real estate investment trusts, 624

Testamentary additions to, 223

Trustees removing from State, reference in law to guardians and committees, eliminated, 425

TUBERCULOSIS

(1961)

Testing for by Clemson Agricultural College, agency which co-operates now designated "Animal Disease Eradication Division, U. S. D. A.," 626

TUITION

(1961)

Free, for State institutions of higher education, repealed, 417

TURKEY, WILD

Fish and Game (this index)

UNEMPLOYMENT COMPENSATION

See also Employment Security Commission (this index)

(1961)

Changes in laws relating to, 453
Terms redefined, additional employing units may be covered under, 166

UNIFORM LAWS

(1961)

Adopted

Gifts to Minors Act, 554

Securities Act, 185

UNIFORM STATE LAWS, COMMISSION ON

(1961)

Contribution for, 386

UNION COUNTY

(1961)

Appropriations, 1559

Beer and wine, sale of prohibited during certain periods, 1575

Board of education convey property to Town of Carlisle, 1558

Circuses, carnivals and others may exhibit without a license, conditions, 1576

Fortune tellers not to be issued licenses, 1576

Highway Department to construct roads in, 1557, 1558

Taxes, 1559

For education, 448

Townships, boundaries of, 13

Voting precincts, 87

UNITED STATES

(1961)

Loans from for public utilities, obsolete provision deleted, 549

Medical College may convey certain lands in Charleston to, 734

Purchase of land for arsenals and magazines, repealed, 421

UNIVERSITY CENTERS, OFF CAMPUS

(1961)

Appropriations for, 384

UNIVERSITY OF SOUTH CAROLINA

(1961)

Appropriations for, 309, 540

Free tuition, repealed, 417

Law School may be operated in summer of 1961, 392

Money derived from athletic contests not to be considered State funds, 392

**UNIVERSITY OF
SOUTH CAROLINA—Cont'd**
Requisition appropriations for pay-rolls and other expenses, 392
Residence on grounds, president may occupy, 393
Revenues or income to be remitted to State Treasurer, 391
Scholarships, not to be granted, 396
Streets to be transferred to, 750
Tuition
 Fees to be remitted to State Treasurer, 392
 For 1961-1962 to be not less than 1960-1961, 391

VACANT LOTS
Property (this index)

VENUE
(1961)

Change of, 562
For prosecution of offenses, violating prohibition of use of telephones for indecent communications, 451

VESSELS
Watercraft (this index)

VETERANS ADMINISTRATION HOSPITALS
Hospitals (this index)

VETERANS ADMINISTRATION PERSONNEL
(1961)
Appropriations for, 360

VETERINARIANS
(1961)
Approved accredited, name of approving official changed from "Chief, Bureau of Animal Industry" to "Director of Animal Disease Eradication," 438
State, program for inoculation of calves, name of agency making recommendations changed from "United States Bureau of Animal Industry" to "Animal Disease Eradication Division, U.S.D.A.," 439

VITAL STATISTICS
(1961)
Horry County, transfer records from clerk of court to county health department, 1250
Jasper County, fees for certifying birth records, 223
York County, reports to be filed with county health department, 89

VOCATIONAL EDUCATION
(1961)

Appropriation for, 316

VOCATIONAL REHABILITATION
(1961)

Appropriations for, 319
Physically handicapped, definition of enlarged; self care rehabilitation, services for; custodial care of, 256

VOTERS
Elections (this index)

VOTING PRECINCTS
Elections (this index)

WAGONS
(1961)
Fairfield County, hauling for hire with, repeal, 462

WAINS
Carts (this index)

WARDS
Elections (this index)

WARRANTS
(1961)
Endorsement of by magistrates, 587
Laurens County, warrant for bad checks not to be withdrawn until fee paid magistrate, 547

WATERCRAFT
(1961)
Boarding of ships without permission by procurers of seamen, burden of proof, repealed, 509
Masters of ships lodging seamen in jail to post bond, repealed, 509
Regulation of boats and boating, 588
Vessels, passage of under bridges, provisions repealed, 426
Wateree Dam, Kershaw County, boating prohibited within certain distance of, 663

WATEREE DAM
(1961)
Regulation of boating and fishing within certain distance of, 663

WATER DISTRICTS
Water Supply and Waterworks (this index)

WATER POLLUTION CONTROL AUTHORITY

(1961)

- Appropriations for, including salaries of employees and other items, 351
- Committee created to cooperate with, continued, 726

WATER SUPPLY AND WATERWORKS

(1961)

- Analysis of water supplies, 21
- Belton-Honea Path Water Authority, "patrons" defined, elections, vacancies, contracts with Authority, 536
- Central, Town of, furnishing of water service, 447
- Districts
 - Drainage or levee, appeals by landowners within, 43
 - Drainage, sale, deed, title to certain delinquent lands, 44
- Water
 - Oconee County, East Seneca, validated, 1386
 - Spartanburg County
 - Cowpens, area removed from, 1504
 - Startex - Jackson - Wellford - Duncan, referendum concerning bond issue, 1509
 - Woodruff - Roebuck, terms of commissioners, 1508
- Water and sewer
 - Aiken County, Langley, borrow money, 767
 - Greenville County
 - Gantt
 - Contracts for collection and disposal of garbage, 1108
 - May issue bonds, 1117
 - May be added to Commission of Sanitation of Greater Greenville Sewer District, 1107
 - May employ attorneys, 1135
 - Paris Mountain, created, 1120
 - Lancaster County, contracts for service, 1278

WATER SUPPLY AND WATERWORKS—Cont'd

Districts—Cont'd

- Watershed Conservation
 - Anderson County, may form, 795
 - Chesterfield County, Hills Creek may be formed, 963
 - Edgefield County, Beaverdam Creek may be formed, 1042
 - Florence County
 - Coward, may be formed, 1078
 - Lynches Lake-Camp Branch, area, 1079
 - Greenwood County, may form, 1159
 - Amended, 1170
 - Horry County, may form, 1223
 - Laurens County, may form, 1295
 - Lee County, may form, 1310
 - Pickens County, Oolenoy, may be formed, 1433
 - Sumter and Lee Counties, Lynchburg-Shiloh, may add lands within Atkins Drainage District, 1545
- Easley, City of, may contract to furnish water service, 107
- Election before bond issues for, provisions clarified, 511
- Greenville County, special purpose districts in may sell water systems to City of Greenville, 1114
- Greenwood County Finance Board to operate water main to fairgrounds, 594
- Liberty, Town of, Pickens County, furnishing of service, 689
- Myrtle Beach, City of
 - Bond issue for, without petition, 69
 - Constitutional amendment allowing election on without petition, ratified, 23
- Sanitation and drainage commissions, no longer must make reports to General Assembly, 47
- Water authorities, Anderson County, Belton-Honea Path, created, 76
- Water and sewer districts, Spartanburg County, additions of property to, 701

WHISKEY

Alcohol and Alcoholic Beverages
(this index)

WHITTEN VILLAGE

(1961)

- Additional facilities for authorized, 736
- Appropriations for maintenance of, 330
- Present superintendent, authorized to continue in employment as such regardless of age, 330

WILDLIFE REFUGES

Fish and Game (this index)

WILDLIFE RESOURCES DEPARTMENT

(1961)

- Appropriations for
 - Administrative Division, 370
 - Bears Bluff, 372
 - Division of Commercial Fisheries, 371
 - Division of Game, 370
- Barnwell County, convey property to, 833
- Crab and shrimp boats, letters and numerals on, 138
- Make studies and declare open seasons on deer and turkey in Game Zones 2 and 4, 460
- No fishing or hunting license required of member of armed forces on furlough, 373
- Quail, tags secured from for commercial purposes, reduced, 135
- Reciprocal agreement with North Carolina authorized for hunting fox, conditions, 722
- Reciprocal agreement with State of Georgia, fishing in Savannah River, 408
- Shrimp and prawn, trawling area further defined, 149

WILLIAMSBURG COUNTY

(1961)

- Appropriations, 1577
- Highway Department may construct road in City of Kingstree, 1577
- Schools, bonded indebtedness, limitation on of the school district of Williamsburg County increased, 18
- Shad, catching of in, 138
- Taxes, 1577
 - Exemptions, Moose Lodge No. 1886, 585
 - Tax Board of Appeals established, 715

WILLS

(1961)

- Devises or bequests may be made to trusts by, 223

WINTHROP COLLEGE

(1961)

- Appropriations for, 310
- Free tuition, repealed, 417
- Johnson, Mrs. D. B., continued employment of authorized, 310
- Money derived from athletic contests not to be considered State funds, 392
- Requisition appropriations for payrolls and other expenses, 392
- Residence on grounds, president may occupy, 393
- Revenues or income to be remitted to State Treasurer, 391
- Scholarships, not to be granted, 396
- Tuition
 - Fees to be remitted to State Treasurer, 392
 - For 1961-1962 to be not less than 1960-1961, 391

WINYAH BAY

(1961)

- Fishing for shad within three mile limit out to sea from jetties, prohibition against, reference to sturgeon deleted, 661

WITNESSES

(1961)

- Discharge on own recognizance of certain, 39

WOODROW WILSON HOME

(1961)

- Appropriations for maintenance and repairs, 384

WORKMEN'S COMPENSATION

(1961)

- Appropriation for compensation insurance for State employees, 384
- Board and firemen of Lee County Rural Fire Control Board to be covered by, 565
- Peach packing sheds, employers and employees exempted from, 412

YORK COUNTY

(1961)

- Appropriations, 1588, 1589
- Clover School District 2 may buy or sell property, 1586
- Hospital
 - Borrow money and continue special tax levy for payment, 1585
 - Membership of board increased, 1601

YORK COUNTY—Cont'd

Legal advertising costs, 263
May sell property to Educational
Finance Commission, 1587
Rock Hill, ministerial recorder, of-
fice of created, 158
Supervisor, publication of quarter-
ly reports by, 183

YORK COUNTY—Cont'd

Taxes, 1588
Continue one-half mill levy for
fire equipment, 1586
Continue special levy for hos-
pital loans, 1585
Transfer funds, 1587
Vital Statistics reports, filed with
county health department, 89